

**Oregon Board of Naturopathic Examiners
Board Meeting
April 2, 2007**

PRESENT: , Rick Marinelli, ND, Chair; Lori Stargrove, ND; Elaine Gillaspie, ND; Glenn Taylor, Public Member; KE Edmisten, ND; Yi-Kang Hu, PhD, Public Member; Anne Walsh, Executive Director

Dr. Marinelli opened the meeting at 8:39am.

Dr. Marinelli took the Board into Executive Session at 8:40

Dr. Marinelli took the Board out of Executive Session at 11:55pm

Executive Session Motions: A motion was made by G. Taylor to open an investigation into N07-03-04 regarding patient communication; and close case N06-09-08 and N07-02-01. Motions were seconded by KE Edmisten and approved by all.

Approval of Minutes: The Board approved the minutes from the February 5, and February 21 special telephone meetings.

Administrative Rules: Defining “patient” – OAR 850-001-0005 Definitions, was discussed. Language for patient was added; repetitive or irrelevant language will be deleted from other definitions; and clarifying language will be added. All members were in favor of this rule. This rule will be initiated for rule making with the Secretary of State.

Background checks- The language for a new rule on background checks as authorized in ORS 685.195 was reviewed. The language was reviewed with legal counsel prior to review by the Board. Five members were in favor of this rule; L. Stargrove opposed the initiation of this rule. This rule will be initiated with the Secretary of State’s Office.

850-060-0225, 850-060-0226 – The FC met March 21, 2007. The FC recommendations were discussed. The recommended additions are Gamma-Hydroxyl Butyrate, Levocarnitine, Sitagliptin, and the sub-classes Cytokine and Monoclonal. Five members approved the addition of these items to the formulary; G Taylor abstained. Initiation of rule making will be sent to the Secretary of State.

The language for the above initiated rules will be made available to all interested parties for comment per rule.

STRATEGIC PLANNING UPDATES: Questionnaire on Practice Issues: G Taylor has been compiling the information received from the licensees on the survey sent with the 2006 renewal. The response was terrific and the Board would like to thank all those that took the extra time to fill this out. Once the reports are consolidated and reviewed by the Board, the information will be posted to the web.

Web site updates and Access – Ms. Walsh reported that the administrative assistant would be taking a full day class in May on updating the web, and hopefully by the June meeting the Board should see a new and improved web site, with current, correct and complete information. She also asked that anyone seeing problems with pages now let the office know so that these can be corrected as soon as possible.

Legislation: SB 205, 206, 207, and 209 have passed through the Senate. SB 208 with amendments will be heard on April 4, and expects pass with no opposition. The next

step will be to testify to the House Health Committee when hearings are scheduled. OANP's SB 620, defining naturopathic physician has passed the Senate side as well. SB 231 proposed by Rick Lee has not been set for another public hearing. There are several bills the Board is watching that could jeopardize investigations. These are being tracked by different agencies. Ms. Walsh will notify members if additional action is needed.

Director Report:

Budget: Has been approved without the policy package to reclassify the director's position.

NPLEX Pharmacology review: Examinations were reviewed by the Board; no decision has been made on the comparability to the OBNE formulary exam.

Administration: With the addition of capable assistant the web site should soon be more functional; all applications forms are in the process of being updated.

On-line Renewal: A presentation was made to the IRMD division of DAS by Grant Moyle, IT support person for the Board, providing information on the process and security. The committee was impressed and we should be approved and ready to go in a couple of months. The cost of \$10,000 will be shared with 8 other agencies (maybe 10), so it is a cost effective endeavor.

Miscellaneous Business:

CE application Discussion – Laurie Marzell, ND requested Dr Marinelli to address her concerns about how to get more new drug information to the FC and the process in by which drugs are submitted for consideration. Dr. Marinelli asked that the Board consider holding the FC meeting 3 or 4 times a year rather than the currently budgeted 2 times a year.

After discussion it was decided that Ms. Walsh will post a request to all licensees asking who would like to meet with others interested in doing the research on new drugs and submitting submissions for consideration. Once these names are compiled they will be put in contact with others. Dr. Marinelli will offer time if appropriate to go over what to look for in submissions, the process and the application requirements.

In the future, anyone with drug submissions for consideration can provide the Board with the required 8 complete applications and supporting documentation or they can submit one complete application with supporting documentation and pay the cost of having the Board staff make the additional copies. This cost would be \$15.00 for staff time and \$.10 per page.

Unlicensed practice: Pamela Staton (non-ND)- This person was notified by the Board in 2000 that she must have a license to present herself as a naturopath. Ms. Staton will be sent a Notice of Proposed Civil Penalty and this matter will be directed to the Department of Justice (DOJ) for further action since she continues to be in violation of Oregon law. **RD Mitchell (non-ND)** – A complaint was received in this office from a person seen by Mr. Mitchell with the understanding that he was a naturopath. The Board has been in touch with Mr. Mitchell in the past regarding the licensure requirements in Oregon. Mr. Mitchell will be sent a Notice of Proposed Civil Penalty. This case will also be sent to DOJ since Mr. Mitchell continues to be in violation of Oregon law. **David Simpkin (non-ND)** - A complaint was filed with this Board that Mr. Simpkin has been diagnosing and treating at least one person under the pretense of being a naturopath. To the knowledge of the complainant he does not hold a license in any profession to practice medicine. He will be notified in writing and asked to respond to the allegations.

Confidentiality - A ND has a minor (under 18-yr-old) patient that has been seen

in confidence. The parent is now requesting a copy of this patient's record. The Board can not provide legal advice but recommends the ND speak with an attorney. Ms. Walsh will see if there are any laws that address this matter and share with this licensee and the Board.

Homeopathy – There was discussion on the lack of regulation around homeopathic practice in Oregon and whether it should be regulated by this or some other agency. No decision was made.

Strategic Planning Update – G Taylor reminded the Board that the Board talked about gathering in June to discuss the strategic goals from the June 2005 meeting, to assess where we are, what needs to happen, and if anything has changed. Ms. Walsh will work with G Taylor and L Stargrove to determine a time on June 3, location and agenda for this meeting.

Board Membership - Greg Garcia's term expired June 2006, but he served through January 2007 after serving more than seven year. A replacement has not been found. Dr Garcia provided the Board with seven years of uncompromised service for which the Board is very thankful. Lori Stargrove's term will be up in June 2007. This will leave two vacant positions. It is important the each Board member contact NDs and ask if they are willing to serve on the Board for 3 years. Ms. Walsh will contact NDs as well.

Public Comment: No public comment was offered.

As there was no further business to discuss the meeting was adjourned at 3:30.