

Oregon Board of Naturopathic Examiners  
Board Meeting  
October 1, 2007

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

Elaine Gillaspie, ND was excused.

Dr. Marinelli opened the meeting at 8:30

Dr. Marinelli took the Board into Executive Session at 8:35

Dr. Marinelli took the Board out of Executive Session at 11:20am.

**Approval of Minutes:** The minutes from the August 6, 2007 meeting were approved unanimously.

Michelle Homer, ND the newest board member, was welcome to the board. She graduated from NCNM in 2001, since 2002 resides in Southern Oregon (Central Point), where she has a part-time pediatric practice and teaches college level science classes. She just adopted a 7-year-old girl.

**Executive Session Motions:** G. Taylor made a motion to issue a notice of proposed discipline in case N07-06-05, for prescribing practices of non-formulary substances; to dismiss any further action in case N07-07-06 and N07-07-08 as no violation was found. K Edmisten seconded and all Board members present agreed (E. Gillaspie was excused).

**Strategic Planning Meeting Updates:**

**CE Program Development:** KE Edmisten is willing to work on the May 3, 2008 program. Suggested topics are areas of greatest licensee interest and or Board concern (the formulary compendium, complaint issues, and ethics that is ongoing and increasingly coming to the forefront of discussion in many health professions). A basic course in the Board (OBNE 101) would introduce Board members; explain the responsibilities and direction of the Board. K Edmisten is willing to talk on the board; R Marinelli is willing to moderate. KE work with Ms. Walsh and present something concrete for the December meeting. The use of case studies as part of the program was discussed. The program will be 4 hours of credit, and be an early program, rather than evening or afternoon. What are the boundaries to consider for staying out of trouble? Ethics, covenants and informed consent are often the basis of "getting in trouble". Topics to consider: OBNE 101, Staying out of Trouble (case reviews), and Addiction, Opioids and non-malignant management.

**Administrative Rules:** Discussion continued on **850-030-0195** that currently allows ND's who have an expired license in Oregon to reapply after unlimited number of years and with minimal requirements. The rule will be revised to remove "expired" and put time restriction on a lapsed license, requiring anyone to reapply for a new license, should the license be lapsed for a determined length of time. The time line in which a licensee must reinstate a lapsed license or reapply was not determined. Yi Hi will work with Ms. Walsh in bringing language to the next meeting for consideration. Discussion

was held on adding language to **850-050-0120**, which will clarify illegal practice as defined in ORS 685.020. The language should include terms used in conjunction with seeing/treating consumers. Yi Hu will work with Ms. Walsh and present language for further discussion and consideration at the next meeting

**Formulary Report:** Dr. Marinelli spoke to the possibility of the FC meeting more than twice a year. For the upcoming meeting, there are no new submissions, and only two being reconsidered. Dr. Wilson, Chair of the FC does not see a need for more meeting a year.

**Director's Report:**

Budget – Ms. Walsh is working towards having the investigator position considered for a limited duration, until the next budget can be created to include this position permanent.

Background checks/ application -wait until January applications for February exams will include licensure. Fingerprint card is part of license application, not done in office. Local checks are done through LEDS; other information comes from the National check.

Background checks – Shane is working on background checks. The Director will become LEDS certified to make sure we can continue this process if the investigator is not available to do this.

**Project Access:** is a program that enables low-income, uninsured people who do not qualify for government insurance programs to access specialty care. This program is accepting Naturopathic physicians as volunteer providers. This is very good news. It will be posted to the web for ND consideration.

Board considered the use a Press Release for all disciplinary actions.

**Inquires: Expedited treatment of partners with a STD.** Board is certain that appropriate care requires a ND to see each person before a diagnosis is made or a prescription is written. Per OAR 850-010-0005(7) defines the doctor/ patient relationship and requires that a person be seen before treating.

**A request for lab results without being seen by ND to interpret results.** Patient is an adult, but patient's parent wants result sent to patient. What is board's position on the release of lab results without interpretation? The adult patient is the one that must request these results, a third party cannot request them. Lab results must be sent, when requested using the appropriate form, but can refuse to have them done in the future.

**Survey Questions:** Discussion was held on the questionnaire that Ben has compiled using the questions from last year, which were answered in too vague a manner. Changes to the original will be made and the survey questions will be included as part of the 2007 renewal.

**Miscellaneous Business:** *Unlicensed Practice: RD Mitchell (N07-03-02N)* – is still being investigated and considered by the board; **Pamela Staton (N06-12-11N)** – This case will be sent to the Department of Revenue (DOR) for collections, since no payment has been received to date.

**Pacific Health Center, Monty Kline (N07-07-10N)** the only investigative materials available from the Board of Medical Examiners was considered. Monte Kline and the services he provides will be monitored.

**N07-08-11N, Rita Krause:** The business card sent to the OBNE office indicated that Ms. Krause is using the title "Dr". The OBNE investigator visited the site. There is no indication that Ms. Krause is seeing, diagnosing or treating any one. Ms. Krause explained that she did not know the cards were made and that she will make sure no more are made and she assured the investigator that she is not practicing or presenting to be a doctor. The investigator does not see any reason to take action at this time, but suggests that this be monitored. There will be no further action by the Board at this time.

**Accurint** Services is another tool that the investigator can use to save time and expedite complaints. Concern that the Board might overstep their authority by using this service in an appropriate manner was discussed. Checks are in place, to assure no abuse. Invoices will reflect a case number, with reference to the purpose in the investigation file. Ms. Walsh will present the board with any concerns indicated in the billing. The board will do review of the billing if the fees seem to be unreasonable. (There is a monthly charge if the service is used or not)

**Inquiries:** *Can a ND do cosmetic surgery including BOTOX and light laser therapy?*  
Yes, it is within the scope of practice as long as the doctor has the education and training in the procedure being performed.

*Does the Board have a position on treating the partner of a patient that is being treated for STD?* The Board believes a doctor should see each patient. Community Health Agencies/Centers may offer such services, but a ND should see a patient before prescribing medication.

**Survey** is posted to the web site. New questions will be sent to licensees with the renewal.

**ND History** researched and composed by Ben Boyd was considered. After discussion, it was recommended that Mitchell Stargrove review the article for accuracy. Once this has been done, it will be posted to the web site. The Board appreciates Ben's time in doing the research.

**Scope of Practice** summary by KE Edmisten did not make it to the Board office in time for review at the August meeting, so it was considered for posting to the web site. It will be posted with a few minor revisions by October 15.

As there was no more business to discuss the meeting was adjourned at 3:40pm, with board members staying to review CE applications.