

Oregon Board of Naturopathic Examiners
Board Meeting
December 4, 2006
(Amended February 5, 2007)

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

Dr. Marinelli opened the meeting at 8:37am.

Dr Marinelli introduced and welcomed Yi-Kang Hu, as the newest member to the Board.

Administrative Rules: Background checks- J Matanich was asked to lead the discussion on this rule, as there were many questions unanswered at the last meeting. Prior to the 2005 Legislative session there were only a few licensing agencies with the authority to do background checks. The Oregon State Police (OSP) provided the bill authorizing health professions including BME, OBCE and OBNE, to do background checks on applicants and licensees. This authority can not be utilized without rules in place and the rules must be approved by the OSP. The first draft rule raised concerns about the process: who will be required to be fingerprinted, how will this determined, what is the time line for licensure when this requirement is inplace, which agency/organization will do the fingerprinting and how is security assured. The protection of the public must be considered especially as the profession grows, more schools meet the criteria for education and more states have licensure. Background check may eventually be conducted on all licensees per discussions at the June 2006 strategic meeting.

Break from 9:20 to 9:40

SS# and name checks offer a minimal criminal history. Fingerprints offer a more inclusive background check than using a social security number and name. SS# and name can be changed, but fingerprints would include any names/ss# used.

The questions asked will be posed to the OBCE and BME with further discussion by the Board at a future meeting.

Dr Marinelli took the Board into Executive Session at 10:20am pursuant to ORS 192.660(1)(f) relating to confidential matters of the Board.

Dr Marinelli took the Board out of Executive Session at 10:44am.

Executive Session Motions: Motion made by G Garcia in case N06-04-02 to dismiss; seconded by E Gillaspie, and approved by all. No other motions were made.

Approval of Minutes: The Board will consider the minutes from the October 2, 2006 meeting at the next meeting.

Pain Management Conference: Dr. Marinelli reported that feedback for the conference held December 3, 2006 was positive. With this seminar the Board is continuing to move forward in providing excellent educational opportunities to licenses.

The joint statement on Pain Management published by the Pain Commission was

adopted by the OBNE and posted to OBNE web site.

Administrative Rules: Further discussion on defining “patient” was held. The proposed draft language that came from this discussion is: “Patient means any person who is examined, treated, or otherwise provided naturopathic medical services, whether or not the person has entered into a physician-patient relationship or has agreed to pay a fee for services” This rule will be considered at the next meeting before being presented to licensees for comment and the Secretary of State for initiation.

Discussion was held on the **doctor-patient relationship** and the part that internet and email plays in this. *The doctor-patient relationship is fundamental to the provisions of acceptable naturopathic medical care. It is the expectation of the Board that licensees recognize the obligations, responsibilities and patient’s rights associated with establishing and maintaining an appropriate physician-patient relationship, whether or not interpersonal contact between physician and patient has occurred.* Internet practice must first assure total care of the patient; therefore consulting should be very limited, showing no endangerment to the patient. Language addressing the **internet practice of prescribing and consulting** was considered: “physicians shall refrain from writing prescriptions for medication resulting from a sale or consultation over the internet except for established patients”. This may be considered for rule making in the future. No motion was taken on these.

STRATEGIC PLANNING UPDATES: Natural childbirth/midwifery certification update- E. Gillaspie shared a discussion she had with the OANP to consider a basic statutory change from natural childbirth to naturopathic midwife. The OANP lobbyist thought it was something that the OANP might consider, but not at this time. Sarah Ohgushi from the AANM thought it was not the right time to approach this, but to work on improving the national (ACNO) examination and establishing better national recognition of natural childbirth practitioners.

Break from 11:25 to 11:35

Standards of Care: KE Edmisten shared that defining standards of care will help determine the scope of practice. She presented the board with a draft summary of the scope of practice/standard of care information obtained from licensees over the last several years. Medical scope of practice includes preserving the basic principles, the dr/pt relationship, medical ethics and discipline, non-conventional practice, and the diversity of approach and standards of naturopathic care. KE Edmisten’s goal is to look at drafting a policy statement on the scope of practice, at a future meeting. (BME may be used as an example)

CE Programs: Dr Marinelli spoke to the importance of fostering excellence in the CE programs offered. That to present a program every spring may not be as beneficial to licensees as offering a program every other year with more substantive education offered. It was suggested that Board members come to the February meeting with topics for a May 2008 CE program. (Incorporating charting, internet use, blood pressure medications, information technology, and being open to the consideration of pertinent pressing issues as they arise were mentioned)

Renewals/ Survey Questions: To date approximately 150 renewals have been returned; with approximately 100 surveys submitted. This response has been promising.

Legislative Concepts: Draft language has not been received from Legislative Counsel to date. Drafts will be sent to Members and be sent to the Senate for submission to a

committee when they are received.

Director Report:

Budget: DAS denied the policy package that would reclassify the Executive Officer position to a Principle Executive Manager, but did approve the reclassification of the OS2 to an Administrative Specialist 2. This will greatly help in hiring someone with the higher skill levels needed to make a difference in the office.

Miscellaneous Business:

Pacific Health Center, Monte Kline: This was discussed at the last meeting, but there does not appear to be much information on Monte Kline available, except that he signed an order with DOJ over thermal testing. He now practices under “Christian healing”, but his education and degree can not be verified through recognized accreditation programs. He has taken any Oregon contact information off his web site, but the Board will pursue further investigation into the Pacific Health Center in Oregon.

Queries/Comments: What are inmate rights to ND services: The Board believes an inmate has a right to basic medical care, but does not know how naturopathic medicine is offered in that context. Ms. Walsh will take this to J. Matanich for some guidance in how to respond.

Request to change “CE” to “CME”: In rule continuing education is referred to as CE; this request asks that it be changes to continuing medical education, which is more applicable. After discussion the consensus is that this is a meaningful change that should be made, but it will require a statutory amendment. This matter may be considered in the future or presented to the OANP to pursue.

ND practice at Medical Center: This query asked for guidance as to what is allowable for NDs in a hospital setting. After discussion, the Board decided that NDs can perform anything within their scope of practice in a hospital. Ms. Walsh will ask if there are specific areas of health care that can be addressed.

Formulary listing by DEA schedules: This inquiry asks the Board to consider listing formulary items by DEA scheduling. After discussion, the Board decided that schedules can be found at the DEA web site and this is an appropriate place for a ND to find this information. A ND can always ask the pharmacist if there is a question on a specific substance being considered for a prescription. .

Pubic Comment: No public comment, but there was a short discussion on talk about a one day retreat in June 2007, to assure staying on track with goals from 2006 retreat. Would it be better to do this on a Sunday before the Board meeting or as part of the Monday meeting? No decision was made.

As there was no further business to discuss the meeting was adjourned.