

Oregon Board of Naturopathic Examiners
Board Meeting
December 1, 2008

PRESENT: Rick Marinelli, ND, Chair; Elaine Gillaspie, ND; Donna Beck, ND; Yi-Kang Hu, PhD, Public Member; Glenn Taylor, Public Member; Anne Walsh, Executive Director; John Laws, Investigator; Johanna Matanich, AAG

EXCUSED: Michelle Homer, ND

Executive Session: No motions from Executive Session.

General Business:

Non-Licensed Board Actions: **N08-01-01N** – Casey, Jennifer: this case was submitted to the Clackamas County DA office for prosecution. Clackamas County has asked the OBNE to clarify to Ms. Casey her actual violations and provide more information to CC, before they go further. Investigator is working on this.

N07-401-014N – Lee, Ricky: the civil penalty will not be reduced. Ms. Walsh will get the documents needed for judicial review.

N06-06-05N – Delphini, Sundara: OBNE has received more information from the NC company and will be sending Mr. Delphini an amended notice with more violations represented.

N08-09-20N – Lee, Kamto: No violation of Naturopathic law was found, but the Medical Board will be watching this person and let OBNE know if they take any action.

Meeting Minutes: October 6, 2008 meeting minutes were approved as written.

Peer Review Committee: ORS 685.205 authorizes a Peer Review Committee. It has not been in use for several years. The board has appointed several members in the profession to participate in the Peer review Committee. Once these members accept their position, their names will be posted.

Elaine Gillaspie noted that her term will be up in June. She is actively recruiting licensees. There are two terms that expire in June, and one current vacant position. Recruitment is necessary.

Board Chair Appointment: The Board voted unanimously to reappoint Rick Marinelli as Board Chair. Discussion on the expiration of terms was held, Board Chair and possibly having a vice-chair. Recruitment is imperative. A ND member or Public member can serve as Board Chair.

Abuse Reporting Guidelines: Ms. Walsh presented the board with guidelines on reporting abuse and communicable diseases. The board adopted these guidelines which will be sent to all licensees with their 2008 renewal this year. Although this information has been posted on the Board's web site for a few years; in the future it will be included as a reminder with all renewals.

Identity Theft Policy: A draft of an identity theft policy was presented to the board. After discussion, the board adopted this policy for the board. The Board needs to work on procedural guidelines in the event that the board is faced with this situation.

Ms. Walsh suggested that a link on our web site with board policies might be beneficial.

Administrative Rule: OAR 850-060-0225 – The Board voted on and adopted the following for prescribing: Amantadine, Exenatide, Memantine, Rimantidine, Selegiline.

OAR 850-060 -0226 – The Board voted on and adopted the following new categories: Incretin Analogues**, Anti-Alzheimer, and Adamantanes.

D. Beck made a motion to adopt the new formulary as submitted; E. Gillaspie seconded, and those board members present passed unanimously.

CE in Medical Professions: – Plant Stem Cell Therapy requested after reconsideration was denied. Richard Dominique was not able to provide legitimate verification of education and research in a timely manner. Mr. Dominique will not be considered as a CE presenter until he can clearly prove educational qualifications.

Legislation: LC 466, 467, 468 – Final drafts for 466 and 468 were discussed. LC 467 for the formulary was discussed since the tense used became unyielding and some conflicts were apparent with the effective date.

EPT – Expedited Partner Therapy: no final draft language to date. Board wants to see the draft language.

LC 1150 – Representative Greenlick is concerned about transparency, largely due to previous issues with the Nursing Board. He supports a higher number of public members serving on health licensing boards. His proposed change would be a 50% minus one composition for public members. (The Board would then be composed of 4 ND members and 3 public members)

LC 1151 - This legislative concept relates to the removal of semi-independent board status. The OBNE is not semi-independent; there are currently only three health related licensing boards that are. These boards do seek support from regulated boards in an effort to insure their independent status. R. Marinelli agrees that we should offer our support; one day the OBNE might consider moving to a semi-independent status. It is noted that this is an idea to possibly explore in the future. Current government does not support a board's desire to move to a semi-independent status.

LC 1152 – This concept speaks to changing board member terms (from three years to four years) and increasing board compensation to a \$100 minimum per meeting.

LC 1153 - Impaired Professional Program: some boards have impairment programs that oversee impaired licensees. The OBNE would like to see such a program developed.

LC 193 – takes away the board's final order authority and gives it to the ALJ. The Board is opposed to this and will watch this closely.

LC 1163 – speaks to reporting healthcare workforce information so the state can utilize the demographic information.

LC 1435 – allows tax credits to health care practitioners who are primary care physicians practicing in rural areas. The issue surrounding this concept is that NDs are currently not in the classification of primary health care practitioners.

LC 1458 – This requires a notice and right to hearing if any health board feels a competency evaluation of a licensee under investigation. The OBNE do not have this authority however it is an important matter that the board opposes. Our attempt during the 2007 session was pulled due to unexpected language

Director's Report: Budget reports – A. Walsh reviewed and explained various line items to Board members.

The conference room remodel is almost complete.

A. Walsh added that the four policy packages previously submitted (increase in conference funds, changing investigator position to permanent, increase of per diem, and initiating background check fees) will all be denied. Per Michael Kaplan, this is just procedural (denying all proposals) and will require more letter writing declaring want of changes, why, etc.

Miscellaneous:

Inquires – Is vasectomy within the scope of practice? There was discussion with no consensus.

The Board does not have authority that would require any hospital to accept ND orders.

Discussion: The Board looked at the new rules proposed by Idaho. Ms. Walsh has been in communication with the professional association and shared the Board's concerns with the rules as written, clearly noting that those that do not meet the appropriate qualifications will not be qualified for licensure in Oregon.

Public Comment:

No public comment.

As there was no further business to discuss, the meeting was adjourned at 2:00pm.