

Oregon Board of Naturopathic Examiners  
Board Meeting  
April 6, 2009

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

**NOT PRESENT:** Michelle Homer, ND (excused)

**Executive Session:** Glenn Taylor made the following motions from Executive session to include: **N07-12-17–Motion to amend.** Motion seconded by D. Beck. Yi-Kang Hu abstained as he was not part of the discussion on this original notice; **N08-05-10–Motion to dismiss.** Motion seconded by Yi-Kang Hu. Motion passes unanimously; **N08-09-22–Motion to issue notice of discipline.** Motion seconded by D. Beck. Motion passes unanimously; **N08-12-29–Motion to dismiss–Motion** seconded by Yi-Kang Hu. Motion passes unanimously.

**Meeting Minutes:** Meeting minutes from the February 2, 2009 meeting were approved with unanimous consent.

**Non-ND investigations:** **N08-12-25-N**, Report from licensee–alleges a Doctor of Chiropractic presented self as an ND during health fair for employees by the city of LaGrande. Information was second hand. After investigation there is no violation found; no action will be taken by the Board; **N09-03-07-N**, Report alleges Ms. Corcoran, Midwife & NP, advertised self on website as being a provider of “Naturopathic Childbirth Services”. After investigation, the alleged wrote a letter of apology to the Board stating it was ignorance on her part & made changes to her web site advertisement. No action will be taken by the Board; **N09-03-09-N**, Complainant alleges that Judith Hurliman is using the title doctor and practicing without a license. Investigation opened by the Board.

**Administrative Rules:** **OAR 850-035-0230**–Amendment will require licensee maintains an active license in Oregon to hold a certificate in natural childbirth. Motion to adopt by G. Taylor. Motion seconded by D. Beck. Motion passes unanimously; **OAR 850-060-0225; 850-060-0226** Formulary Compendium and classifications. Motion to initiate rulemaking was made by E. Gillaspie; seconded by D. Beck. Motion passes unanimously.

**Legislation:** **SB131** (Name change), will be effective January 1, 2010 to reflect *Oregon Board of Naturopathic Medicine*, and **SB132** (Housekeeping), passed Senate side. House held from committee in order to be heard with the formulary bill, **SB327-A**, these will be voted on April 6, 2009.

Pharmacy Board has the Prescription monitoring program, **SB355**. This program will have a \$25.00 yearly fee per Doctor.

**HB3022**, relating to treatment of sexually transmitted disease. A letter of support was sent. **SB274**, relating to the final order authority of the ALJ. There are many changes being submitted. Ms. Walsh will keep the board notified of any significant changes.

**Director's Report: Budget update–SB5527.** OBNE Budget has final Ways and Means presentation April 7, 2009; no testimony will be required at this presentation. A. Walsh explained to Board members that more limitations had been asked for in this biennium to cover the contested cases and other investigations requiring more time, since AAG and investigator (no limitation at all) limitation has been exceeded; part-time investigator position has not yet been approved; however it is funded for an additional six months in 2009-11 budget with a report due to E-board to support this position.

There is legislation to require 24 furlough days for the Executive Director within the next 2 years without pay. Additionally, the Board office has been put on notice that DHS will no longer allow mail delivery to non-DHS agencies in the PSOB effective July 1, 2009.

**Miscellaneous: Inquires:** R. Marinelli shared a letter with the Board received from Dr. Esteves, Acting CE Coordinator at NCNM. The letter inquired if it was in the public's interest to increase the number of CE hours required for ND's in Oregon. To be discussed further at a future Board meeting.

**School Health Assessments** - Inquiry from an ND whether or not ND's could sign school forms for children with special needs. The current OAR 581-O15-2780 states that only an MD, DO, Nurse Practitioners or Physician Assistants may sign these forms. The statute does not limit who could or could not sign. The Board will write a letter to DHS or Department of Education asking them to amend their rule to include ND's. For the time being the answer is no.

**Vasectomies**-The Board's unanimous decision is yes. With the additional information received and reviewed, vasectomies are within the scope of practice per ORS 685.010 (4) "Minor Surgery"; **Laser Assisted Lipolysis** - The Board's unanimous decision is yes as minor surgery; with the caveat that the ND is responsible for the proper education and training necessary to proper this procedure; **Assisted Suicide (Death with Dignity)** – The board does not see this as within the scope of practice at this time; **IV Chelation by employees** – Yes, if the employee is properly trained (medical assistant; nurse), and under the direct supervision of the attending ND; **Do not Resuscitate Order**- Is an ND able to sign DNR's? Statute is under Medical Board. R. Marinelli will do further research and this will be discussed at June 1<sup>st</sup> Board meeting.

**Public Comment: Lucy Forsten, Attorney**-Commented on the DNR conversation.

Board members worked on CE after the close of the meeting.

As there was no further business to discuss, the meeting was adjourned at 1:12pm.