

Oregon Board of Naturopathic Examiners
Board Meeting
February 2, 2009

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

Executive Session: Glenn Taylor made the following motions from Executive session, to include: **N08-05-14 –Alleges ND did not heal patient, wants refund**-No violation found, no further action by the Board; **N08-12-27 –Alleges inappropriate doctor patient relationship**-Violations found, motion to issue notice of proposed discipline; **N09-01-02A –Applicant review**- Violations found, motion to issue notice of proposed discipline; **N08-12-28 – Oregon licensee treating out-of-state**-Investigation opened; **N08-12-29 – Patient care, without consent**-Investigation opened; **N09-01-03A – Applicant review**-investigation opened. Motions were seconded by E. Gillaspie; all members approved these motions.

Meeting Minutes: Meeting minutes from the December 1, 2008 and December 30, 2008 Special meeting were approved with unanimous consent.

Lucy Forsten Attorney and recent graduate from the University of Oregon Law School; is starting a practice in naturopathic medicine to assist licensees in legal matters. Her background is business and public policy, but is working with another attorney to learn more aspects of naturopathic practice.

Britt Duba, was introduced as the new administrative assistant to the Board.

Non-ND investigations: **N-08-12-26-N**, Mark Dunn – allegation is he is licensed in WA, practicing in central Oregon. After investigation there is no basis for this allegation; no action will be taken by the Board; **N08-12-30N**, ME Coulter – alleges MD advertised as ND. After investigation, it was determined that the editor misplaced advertisement; no action will be taken by the Board.

Administrative Rule: **OAR 850-035-0230** –Amendment will require licensee maintains an active license in Oregon to hold a certificate in natural childbirth. M. Homer moved to initiate rule-making; E. Gillaspie seconded and all members present were in favor. Ms. Walsh will initiate rule-making.

Legislation: **SB131** (Name change), and **SB132** (Housekeeping) will move forward. The formulary bill, **SB327**, has become the OANP bill, as the Governor's office would not carry it for the OBNE. All 3 bills are scheduled for their first hearing February 16.

Pharmacy Board has the Prescription monitoring program (SB355) coming up for a hearing and they have asked for a letter of support from the OBNE. After discussion, Ms., Walsh will send a letter of support to the committee.

Discussion was had on several other bills that may affect the OBNE either minimally or to a greater degree (composition of the board from 2 to 3 public members; and 5 to 4 ND members) Other bills of interest would require quarterly audits by other health agencies; an impaired physician program; and reporting violations to health boards.

Director's Report: Budget update – A. Walsh reviewed and explained various line items to Board members and shared that she is continuing to work with LFO and DAS to include a part-time investigator as part of the 2009-11 approved budget. February 16, 2009 is the date for the bills and budget hearing. Dr. Marinelli will attend the budget hearing with Ms. Walsh.

Formulary Council Meeting: – Is scheduled for March 4 to start at 10:30am. Deadline for submitting application to be reviewed is Wednesday February 4 2009.

Renewal Update: Ms. Walsh reported that the online renewal was not as well used as she had hoped. Concerns with the online renewal should be resolved before the next renewal period. Renewals will be annual for all licensees this year forward.

Miscellaneous: Inquires: Vasectomies – A formal request was received by Dr Kahn asking the Board revisit vasectomies as within the scope of practice for NDs. Ms. Walsh will ask for more specific information on the procedure she is requesting from Dr. Kahn and present it to the board for consideration at a future meeting.

Pre-license practice – Serron Wilke graduated in December 2008 and will sit for the NPLEX in August. She would like to work under the supervision of a doctor (no diagnosing or treating) until then. The Board discussed this and feels the answer is still the same; she will be notified that she can work in a doctor's office doing the same things an unlicensed person is allowed to do.

Public Comment: Lucy Forsten expressed her appreciation for how the board operates and will be contacting the professional association as well.

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

As there was no further business to discuss, the meeting was adjourned at 12:55pm.