

Oregon Board of Naturopathic Medicine
Public Board Meeting
April 4, 2011

PRESENT: Glenn Taylor, Board Chair; Sara Ohgushi, ND; Patrick Chapman, ND ; Donna Beck, ND; Greg Eckel, ND; Yi-Kang Hu, Public Member; Johanna Riemenschneider, SAAG; Anne Walsh, Executive Director

EXCUSED: Michelle Homer, ND

Executive Session Motions: **N10-07-08** – D. Beck moved to withdraw the Notice of Proposed Discipline and dismiss; S. Ohgushi seconded, the motion passed unanimously. **N11-03-06** - D. Beck moved to dismiss; Y. Hu seconded, the motion passed unanimously; **N09-12-25; N10-07-09** – P. Chapman moved to dismiss, S. Ohgushi seconded, the motion passed unanimously.

Meeting Minutes: The February 7, 2011 minutes were approved as written.

Administrative Rules:

850-060-0225 & 850-060-0226 –Y. Hu moved to adopt a rule removing references to the AHFS in 850-060-0225-0226, S. Ohgushi seconded, motion passed unanimously. **850-050-0200** – Y. Hu moved to adopt reapplication limits, S. Ohgushi seconded, the motion passed unanimously. **850-035-0230** - There was a discussion about the process of certifying naturopathic doctors in natural childbirth. The method of certifying completion of the prerequisites for natural childbirth had in the past been done by NCNM and then approved by the board. S. Ohgushi moved to initiate a rule change to allow the board to designate a ND, who has been certified in natural childbirth for more than five years, to certify the completion of the prerequisites needed for a ND to obtain a certificate of natural childbirth, G. Eckel seconded, the motion passed unanimously. **850-060-0226** – Upon recommendation from the formulary council, P. Chapman moved to initiate a rule change to remove mifepristone from the drug category oxytocics from the Naturopathic Formulary Compendium, S. Ohgushi seconded, the motion passed unanimously.

General Business:

Scope of Practice: Vasectomy - There was an inquiry from a licensee about whether a vasectomy is within the scope of practice for naturopathic physicians. There was a discussion about what clinical settings vasectomies are currently offered in. After discussion with legal counsel it was determined that although the procedure constitutes minor surgery, the procedure falls outside the limited definition of minor surgery as set forth in statute.

Dry Needling-The Acupuncture Board has a bill (SB780) defining “dry needling” as the practice of acupuncture. The proposed legislative bill will limit any practice of needling to licensees of the acupuncture board. G. Eckel, also a licensed acupuncturist, pointed out that many fields have overlapping modalities and many techniques of needling do not constitute the practice of acupuncture. G. Eckel suggested that with sufficient training, the practice of dry needling is within the scope of practice of naturopathic medicine. The representative of the OANP, Stephanie Kaplan; testified to the board that dry needling is within the scope of practice of naturopathic doctors because; solid needles are used for various modalities associated with minor surgery and naturopathic doctors are trained to identify trigger points which are different from the meridian points identified by acupuncturists. The issue was tabled until there is an update on the status of the legislative bill.

Formulary Council – P. Chapman reported about the Formulary Council meeting on March 30, 2011. They decided to remove mifepristone from the category of oxytocics from the formulary. There was also a discussion about whether to include Ozone in the formulary, or if it constitutes a natural substance and is therefore not necessary to be added to the formulary. There was a general request for additional information and the issue was table until a later date.

POLST – D. Beck explained the POLST (Physician Order for Life Saving Treatment) process and the issue of naturopathic doctors’ inability register a POLST form with the POLST database to direct EMT’s. After discussion it was determined that the next step will be for D. Beck to approach the POLST task force with a request to include naturopathic doctors in their definition of acceptable signatories to a POLST form. D. Beck and A. Walsh will work on a letter to the task force.

Medical Provider – A. Walsh discussed the issue that naturopathic doctors cannot sign orders designating a child as “special needs”. The board decided to prepare a letter to include naturopaths in the statute for discussion at the next DOE meeting.

Board Membership – G. Taylor explained that his appointment is ending in June and there will need to be a search for a public member on the board. D. Beck will also be leaving in June due to the expiration of her appointment.

2011 Board Meeting Dates – The board will decide at the June board meeting whether to hold a board meeting in August. The board decided to move the June meeting date to June 13th to facilitate attendance.

Legislation:

SB138 – Recovery of Contested Case Costs – The bill to recover the costs of contested cases has moved forward in the Senate committee and will go to the Senate floor before being assigned to a committee in the House of Representatives. A. Walsh will keep the board informed of any updates.

SB139 – Housekeeping – Examination – This bill that moves the Board’s authority to limit exams to the Executive Director, has moved forward in the Senate committee and will go to the Senate floor before being assigned to a committee in the House of Representatives. A. Walsh will keep the Board informed of any updates.

SB229 – OANP Insurance Legislation – The bill to require parity in insurance payments to naturopathic doctors is still in committee with hearings scheduled.

SB439-1 – Clinical Breast Examinations – This bill would require additional education in the administering of breast examinations, and is still in committee.

SB97 – Cultural Competency – The bill to require additional education for cultural competency but its details are still being written and it is awaiting public hearings.

SB96 – Healthcare Workforce – The bill that would require collection of data on the demographics of the healthcare profession in Oregon, is still awaiting public hearing. It will have a fee attached.

Directors Report:

Budget – A. Walsh informed the Board that the budget requests for a permanent part-time investigator and a proposed fee increase were approved in the Governor’s Balanced Budget.

Semi-Independence – A. Walsh has, and will be in continued contact with the Governor’s office about semi-independence and the likelihood of being added to a bill is increasing.

Investigator Trainings – A. Walsh informed the Board about the possibility of an upcoming conference that offers investigator and board trainings that will be in the Portland area in the fall.

Contact Log – The Board office contact log was reviewed without any comments being made.

Inquiries:

Specialty – There was a request to review the statutory prohibition on claiming specialties. The OBNM statute prohibits naturopathic doctors from claiming a specialty. A change to the statute would require a legislative effort and so the issue was tabled until a later date.

Audit Report – A. Walsh presented the audit conducted on the Board of Optometry to show the Board.

Public Comment: There was no public comment.

As there was no more business to discuss, the Board adjourned at 2:40 pm.

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