

Oregon Board of Naturopathic Medicine
Public Board Meeting
February 11, 2013

Present: Michelle Homer, ND, Board Chair; Sara Ohgushi, ND; Patrick Chapman, ND; Dwight Adkins, Public Member; Yi-Kang Hu, Public Member; Sheila Myers, ND; Johanna Riemenschneider, SAAG; Anne Walsh, Executive Director

Excused: Greg Eckel, ND

The Board went into Public session at 11:38am
The Board went back into Executive Session at 12:01pm
The Board went into Public session at 12:31pm
The Board went back into Executive Session at 12:32pm
The Board went into Public session at 1:00pm

Executive Session Motions: Y. Hu made a motion in **N12-08-23**, to issue a Notice of Proposed Discipline; S. Myers seconded and all members present were in favor. Y. Hu moved in case **N13-02-03A** moved to not waive the licensure requirements, D. Adkins seconded, S. Ohgushi and M. Homer agreed; S. Myers was opposed, and P. Chapman abstained. In **N12-12-32N** and **N12-12-34** P. Chapman moved to dismiss, D. Adkins seconded and all members present were in favor. In **N12-12-35** Y Hu moved to open an investigation, S. Ohgushi seconded and all members present were in favor.

Meeting Minutes: Minutes for the December 10, 2012 meeting were reviewed. D. Adkins moved to approve the minutes as written; S. Ohgushi seconded, and the motion was passed unanimously.

Administrative Rules: **OAR 850-035-0230** amendments have been posted with comments due by 2/22/2013. The comments submitted to date were discussed. S. Ohgushi talked to these suggested changes. The amendments include annual case-review; allowing all births; require that at least 5 births must have been attended within the two years prior to applying for certification; and to allow a ND with current certification to request an inactive status. The inactive status would have requirements for maintaining that status and for reinstating certificate to an active status. After further discussion on different aspects of the rule, the potential program restart-up at NCNM and additional natural childbirth CE hours annually, the amendments will stay as they are. **OAR 850-001-0015** on Hearing procedures, and **850-030-0035** fees, to include a correction to the reinstatement fee and inactive status for natural childbirth were initiated by S. Ohgushi; Y. Hu seconded and all members present were in favor. Ms. Walsh will initiate rule-making.

There was discussion on changing the birth record reporting form, so that personal information is kept more confidential; using non-identifying coding - maybe just due date and initial. More discussion will be held on this issue in the future.

There was discussion on **850-040-0210** and the need to define study groups. They are becoming very popular and most often offered quality education, but have no boundary or parameter for attendees to follow. S. Myers will submit initial concepts on what should be included as part of the rule; possibly create a form that is to be used as a guideline in study groups/ case review. Proposals will be discussed at future meetings.

There was discussion on watching "films" and getting CE credit when the topic is not directly related to naturopathic medical education. If a film was developed for professional providers, then yes, it would be approved for CE. If is a film, no matter how thought provoking, is a general public movie, it cannot be considered for CE.

EMT training is approved for CE credit.

Pain Management/Care~ There was discussion on the increase in the number of NDs treating acute/chronic pain patients. The Board reiterated the importance of not only having prescribing authority but having the education and training to treat and refer appropriately when managing patients with acute/chronic pain. There was discussion of the OBNM posting online links to tools; however, unless a ND has the appropriate education and training it may not be positive. The OBNM discussed posting on the Board site links with more training and tools for NDs to access. This will require more time to make sure the links are quality education.

As with any protocol, it is the responsibility of the licensee to be educated. The OBNM noted that the ND must be educated before treating a patient. It is better to refer a patient with chronic pain, and work with another health care provider. There are Pain clinics which are the best resource for some patients. Does the OBNM want to start to approve pain management training to get NDs up to speed? The Board wants to continue to look at essential education and training for licensees.

General Business:

Ms. Walsh wanted to start the discussion of a Board retreat within the next year; in an effort to invite more licensees and reevaluate the Board's direction. The last retreat was held in 2010. With a natural childbirth certified ND as a board member the retreat must be held within one hour of Portland, if held at a time that births are anticipated. Discussion will continue at future meetings.

Legislation:

SB 108 and SB 109– SB 108 and SB 109 have passed through the Senate; they will now be heard by the House Health Care Committee.

Ms. Walsh suggested that a Board member be at the table when any agency bill, including the budget is presented, to answer technical/practice questions.

SB 108 had some committee members asking why some agencies have this authority, some do not, and should all agencies have it?

Ms. Walsh asked the Board to review the three comparisons she has given to legislators in the past. She asked that they confirm that condition and treatment and cost has remained similar. It was determined that the costs are likely low, since the comparison is from 2000.

SB109 has not met with any opposition or concern.

Ms. Walsh updated the Board on other legislation being watched.

Directors Report:

Agency Requested Budget – The Budget hearing is set for March 18. Ms. Walsh does not anticipate any problems with the budget being approved.

Board Terms - Michelle Homer's term will expire June 30. The need to replace her position with someone in Southern Oregon is important, as well as having diversity on the board. It is expected that Charles Wiggins will be appointed to replace Yi Hu, whose term actually expired in June 2012. He has graciously continued to serve until an appointment was made.

The Board discussed a possible legislative concept for 2015 to change the statute so that board terms are three years, from the time of appointment. Currently terms end June 30 on a 3-year cycle, leaving some member terms as short as 1-1/2 years.

Drug Outlets - There is an opinion of drug outlets and who must register with the Board of Pharmacy if dispensing drugs from a office location. Rules are being worked on by the Board of Pharmacy. Ms. Walsh will keep the Board apprised of any rules that are considered.

Staffing: The 2013-15 budget request includes a request to make the Investigator II a permanent position. Ms. Walsh just finished working with Human Resources to move the Administrative Assistant position into executive service, prior to recruiting for the position. The applications will get a pre-screening for qualifications; then drill down to three or four candidates to interview. The position has been vacant since December 1.

Miscellaneous: Dry needling ~ The Board determined that this discussion should be held with both ND, LAcS present to make sure all sides are heard. Discussion was on needling, using non-acupuncture points? The members present were not in complete agreement. More discussion needs to be had. Currently, dry-needling is not considered acupuncture and it should not be confused with acupuncture.

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 2:25.

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

Oregon Board of Naturopathic Medicine
Special Telephone Meeting
March 7, 2013

Present: Michelle Homer, ND, Board Chair; Sara Ohgushi, ND; Patrick Chapman, ND; Dwight Adkins, Public Member; Yi-Kang Hu, Public Member; Sheila Myers, ND; Greg Eckel, ND; Johanna Riemenschneider, SAAG; Anne Walsh, Executive Director

The Board went into Public session at 1:34pm

Executive Session Motions: Patrick Chapman made a motion in case N12-07-13, to issue discipline; Sheila Myers seconded, and all present voted in favor of the motion.

As there was no other business to discuss the meeting was adjourned at 1:35pm

Oregon Board of Naturopathic Medicine
Public Board Meeting
April 8, 2013

Present: Michelle Homer, ND, Board Chair; Sara Ohgushi, ND; Patrick Chapman, ND; Charles Wiggins, Public Member; Greg Eckel, ND; Sheila Myers, ND; Johanna Riemenschneider, SAAG; Anne Walsh, Executive Director; Merrill Creagh, OBNM Investigator

Excused: Dwight Adkins

The Board went into Public session at 12:36pm

Executive Session Motions: P. Chapman made the motions: In **N09-01-03A**, moved to terminate probation; C. Wiggins seconded and all members present were in favor. In **N12-11-31N**, moved to continue the investigation; seconded by S. Ohgushi, all in favor. In **N12-12-35** and in **N13-04-08N**, moved to dismiss with no further action; seconded by C. Wiggins, all were in favor. And in **N13-03-06N** dismiss with no further action, P. Chapman, M. Homer, G. Eckel, C. Wiggins, S. Ohgushi approved, S. Myers abstained – motion passed. In **N13-04-10** and **N13-04-11N**, moved to open an investigation.

Legislation: **SB108**, provided for cost recovery in contested cases. After meeting with Representative Greenlick, requesting his support. Although he felt it was a good bill, he asked for additional language about who determines what the cost recovered is. Legal counsel for the Board will meet with the Representative on this bill to explain the purpose of the bill. Other agencies can write letters to the benefit of the policy within their own agency, but they cannot write a letter of support for the bill.

SB109 authorizes the director or a designee of the board to sign subpoenas. This is expected to pass with no conflict.

SB302, This consolidation bill is not going any further in this session; but the discussion is ongoing.

Semi-independence is off the table for this session; although all board members are in agreement that it would be a more practical and cost-effective and time-saving way to operate.

Discussion was held on rules to be written by the Board of Pharmacy detailing dispensing from a medical office. This will be tabled until more information is obtained.

The Secretary of State's Office will be doing audits; however there is no clear understanding of what it will entail at this time.

Meeting Minutes: Minutes for the February 8, 2013 and March 11, 2013 Special Telephone meeting were reviewed. S. Ohgushi moved to accept, S. Myers seconded, all members approved.

Administrative Rules: **850-035-0230** -S. Ohgushi moved to adopt, C. Wiggins seconded, P. Chapman, G. Eckel, M. Homer agreed; S. Myers voted "nay" wanting to see more definition on what the reporting logs should contain;

850-001-0015 –P. Chapman moved to adopt, S. Myers seconded, all in favor.

850-030-0035 - S. Ohgushi moved to adopt, S. Myers seconded all members were in favor.

There was continued discussion on the possibility of writing rules on study groups. S. Myers submitted a concept for rule. After discussion, the Board is not going to write a rule at this time; however, this will be an assist for the Executive Director for the Board. Each licensee, no matter how they obtain their CE, must be able to provide proof that satisfies the Board requirement.

There was an inquiry on CCO training for CE credit. After discussion, it is denied as it is related to business development, which is not approved for CE.

The Oregon Pain Commission updated the one-hour tutorial. The Board will give credit to anyone taking this new tutorial.

After discussion of an inquiry on the subject, the use of old ND text books and the NDNR were not approved for use as CE opportunities.

Review of Kaiser Newsletter, publications. It does not fit into the CE guidelines.

Formulary Council Appointments: The Board discussed and S. Ohgushi nominated Patrick Chapman, John Block, and Kevin Wilson be reappointed to the formulary council for two years. S Ohgushi moved to reappoint these people, G. Eckel seconded, and all members were in favor.

P. Chapman spoke to the last FC meeting (March 13): FC has reinvented their purpose to continue to review drugs that may or may not be included in 850-060-0225, 850-060-0226; and to look at proactively establishing a CE opportunity on pain management, prescribing, etc. The FC will meet May 29 to look at what consists of CE on pain education and training, which is best to provide information on various topics. The council will contact other professionals for input.

Board Chair Appointment: M. Homer's term is up June 2013, and since she is currently serving as the Board Chair, a replacement needs to be nominated and appointed. There was discussion and Greg Eckel was nominated by Sara Ohgushi, a vote was taken and Greg Eckel was appointed as the Board Chair effective with the next Board meeting. Michelle's time as Board Chair has been greatly appreciated.

Board Terms - Michelle Homer's term will expire June 30. The need to replace her position with someone in Southern Oregon is important, as well as having diversity on the board.

Charles Wiggins was appointed to replace Yi Hu, whose term actually expired in June 2012.

The Board discussed a possible legislative concept for 2015 to change the statute so that board terms are three years, from the time of appointment. Currently terms end June 30 on a 3-year cycle, leaving some member's term as short as 1-1/2 years.

General Business:

Discussion continued on the possibility of a retreat for new Board members after June 2013. The last retreat was held in 2010. With a natural childbirth certified ND as a board member the retreat must be held within one hour of Portland, if held at a time that births are anticipated. September 20-22 is the best weekend at this time. More discussion will be held at the June meeting.

Directors Report:

Agency Requested Budget – The OBNM is waiting for the full ways and means to approve its budget, which includes the .5 FTE investigator position, which really should be full time after trying to get it permanent for three sessions. The investigator is currently working 20 regular hours and 8 extra hours a week; however, that may change as the current investigator will not be able to work more hours, and may actually need to cut back to 20 hours.

Email Newsletter: Ms Walsh apologized for not getting an email newsletter out after each meeting for the last several meetings (since the fall paper newsletter). She will work towards making this happen regularly once an administrative assistant is in place.

Miscellaneous: An inquiry asked if there are any restrictions on a ND taking over the care of a patient with cancer, when they choose not to see an oncologist. There is no restriction in law or rule; however, the Board reiterated that it is important that the patient sign an informed consent form. Additionally, it is important to make the patient aware of practice limitations. It is the patient's choice; it is recommended that the ND make sure the patient understands the Procedures, Alternatives, Risks and that you answer all Questions (PARQ).

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 2:49pm.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
June 10, 2013

Present: Greg Eckel, ND, Board Chair; Sara Ohgushi, ND; Patrick Chapman, ND; Charles Wiggins, Public Member; Michelle Homer, ND; Sheila Myers, ND; Anne Walsh, Executive Director

The Board went into Public Session at 1:40pm

Executive Session Motions: In **N12-08-23** P. Chapman made a motion to issue to notice of proposed discipline, C. Wiggins seconded. P. Chapman, G. Eckel, S. Ohgushi, C. Wiggins, and M. Homer were in favor; D. Adkins and S. Myers were opposed. The motion passed with a 5 to 2 vote. In **N12-07-13** P. Chapman moved to issue to notice of proposed discipline, C. Wiggins seconded and all members were in favor. In **N12-07-16** P. Chapman moved to issue an interim order, C. Wiggins seconded and all members voted in favor. In **N12-12-33** P. Chapman made a motion to amend the interim order, C. Wiggins seconded and all members were in favor. In **N12-01-01N** P. Chapman made a motion to continue the investigation, C. Wiggins seconded and all members voted in favor. In **N13-04-11N & N13-04-14** P. Chapman moved to dismiss these cases without action, C. Wiggins seconded and all members voted in favor.

Meeting Minutes: Minutes from the April 8, 2013 and May 23, 2013 special meeting were reviewed with any minor grammatical corrections to be given to Ms Walsh. P. Chapman moved to accept the minutes for both meetings, S. Ohgushi seconded, and all members approved.

Legislation: **SB108** – 685.110 – Withdrawn after passing the Senate with no contest. There was discussion on the cost of recovery between Rep. Greenlick, the OBNM Legal counsel, and the OBNM director and a compromise could not be reached. The Board is not willing to have the cost be determined by an outside entity. (ALJ or other source). Currently, in a contested case, the board has the final decision making authority. After hearing the case, the ALJ proposes discipline to the Board; the Board accepts or makes amendments as necessary to this proposal. This would take the cost recovery authority away from the board and possibly give it to the ALJ with final decision making. More education/procedures would be good regarding SB108 to OANP, Licensees and Legislators. More discussion on this bill will be considered at the board retreat.

SB109 – 685.225 Subpoena Authority passed effective January 1, 2014. This bill will allow for timelier processing of subpoenas, when the Board's Executive Director has this authority to sign these.

SB302 – This consolidation bill and multiple other versions have not been passed. The topic of consolidation remains on the table.

There is a bill that would require a change in policy for vaccinations that is being proposed and expected to go through. It would require parents to watch a video prior to refusing vaccinations for their children. Ms Walsh will keep the board apprised of this bill's status.

General Business:

Charles Wiggins, who started as the newest Public member on the Board at the April 2013 meeting, is from Portland Oregon. He is replacing Yi-Kang Hu. C. Wiggins comes to the board with numerous years of public experience.

Formulary Council Meeting/Appointments:

The May 29, 2013 FC meeting was canceled. It was to discuss what makes good pain education. It will not be re-scheduled at this time. G. Eckel would like to see NDs take the lead on pain management education. This is something that definitely needs to be discussed in the near future. The FC will be notified that the board is still very interested in the FC participating in pain management education, for quality assurance. P. Chapman and C. Wiggins will work on recommendations. Any ideas that the Board may have on pain management education can send them to Ms Walsh.

FMCASA – Safety administration: The Federal Motor Carriers of America Safety Administration asked for confirmation that licensed NDs can do the physical examinations necessary to qualify commercial drivers. The board has reviewed what was submitted as part of the examination by the FMCASA and agreed it is all within their scope of practice. Ms Walsh will confirm this is writing to the FMCASA.

Directors Report: The **Agency Requested Budget** has been approved for \$600,000. The part-time investigator has been approved as a permanent position.

Ms Walsh went over the additional purchases made at the end of the biennium to include more locking filing cabinets and chairs for the admin and director, whose chairs have not been replaced in close to 10 years. The ending balance is not confirmed, but Ms Walsh feels it will be better than expected due to a change in staffing and the flat rate for attorney charges not utilized (due to fewer contested hearings than planned for).

Ms Walsh hopes to get back on track with the email newsletter (NewSpot) now that she has administrative staff in place.

Executive Director Authority Review: The Secretary of State (SoS) is asking all small state agencies to provide, in writing, all authorities delegated to the executive director. Ms Walsh provided the Board with a draft which they will review and discuss in details at a future meeting. Ms Walsh will then update the final version to provide to the SoS.

Miscellaneous: Ms Walsh received an email from a student using the designation of NDc; Ms Walsh let the student know that they could not use NDc as a designation. Ms Walsh did some checking on this designation, and students who thought they could use this designation have been notified that they cannot use NDc, or any other ND designation before being licensed. Allopathic medical students refer use the designation MS2, MS3, etc.

Discussion was held on the dates for the retreat. It will be the weekend of September 20-22, 2013. Location has not been decided. Location must be within an hour of metro area, as S. Ohgushi has patients who may go into labor during that time and she will need to be available to assist.

Discussion regarding **medical assistants ability to start and stop IV's** under the direction of the ND was held. There are not specifically trained or regulated naturopathic medical assistant. It was again confirmed that simple office procedures can be done. Even the front desk person can be able to do start and stop IV's if properly trained and the ND is on premise. Simple office procedures can be done by medical assistants.

Treating Cancer patients There is no prohibition for NDs treating cancer patients, without an oncologist involved. However, it is highly recommended, that as part of standard care, the ND talk with, and makes sure that the patient understands the procedures, alternatives, risks and answers all questions. (PARQ) especially when treating patients with special medical concerns.

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 2:45pm.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
August 12, 2013

Present: Greg Eckel, ND, Board Chair; Patrick Chapman, ND; Dwight Adkins, Public Member; Sheila Myers, ND; Lissa McNeil, ND; Charles Wiggins, Public Member; Sara Ohgushi, ND; Anne Walsh, Executive Director.

The Board went into Public Session at 11:35am.

Executive Session Motions: In the following cases P. Chapman moved to dismiss without action: **N-13-0101N** and **N-13-04-10**, motion was seconded by C. Wiggins; and members in attendance were in favor. In the following cases P. Chapman moved to continue the investigation: **N-12-07-16, N-12-12-33, N-13-02-02, N-13-02-04, N-13-02-05, N-13-03-07, N-13-04-09, N-13-04-12A, N-13-04-13** and **N-13-05-15**, motion was seconded by C. Wiggins; and members in attendance were in favor. In the following cases P. Chapman moved to initiate investigation: **N-13-06-16, N-13-07-17, N-13-08-18, N-13-08-19N, N-13-08-20A, N-13-08-21A, N-13-08-22A, N-13-08-23A, N-13-08-24A, N-13-08-25A** and **N-13-08-26A**, motion was seconded by C. Wiggins; and members in attendance were in favor.

Meeting Minutes: Minutes from the June 10, 2013 meeting were reviewed with any minor corrections to be given to Ms Walsh. A correction to the June 10 minutes will read Patrick Chapman on the formulary information instead of Greg Eckel along with Charles Wiggins on the pain management education. S. Meyers moved to accept, C. Wiggins seconded, and all members in attendance were in favor.

Administrative Rules: Rule making initiated: OAR 850-030-0195 needs a fee changed to reflect the delinquent fee for late renewals returned after December 15 from \$75 to \$100 which changed in January 2013. S. Myers moved to initiate OAR 850-030-0035; D. Adkins seconded, and members in attendance were in favor.

General Business:

Legislation 2013 In the board packet was an informational sheet regarding different legislation bills.

Impaired Practitioner program is a program that all health care providers have to participate in. Once we have a doctor that joins the impaired program we will have to start paying the fee. No longer will the board monitor a doctor that has gone into rehabilitation because the impaired practitioner program will take care of monitoring patients. Ms Walsh will check into tentative costs once using this service and report at the next meeting.

Executive Director Delegation of Authority Review There are duties that the board can delegate to the executive director that do not necessarily sync with the ED job description. The board can, by motion, delegate additional authorities to the executive director but the board will want to track that information through the minutes and make sure they get sync at some point. If something comes up and logistically it is difficult to accomplish and the chair is unreachable the board can delegate signature to the executive director and that can be done by a motion. After discussion, the signing of Final Order will be left with the Chair. This can be re-delegated to the Director in writing, at a later date.

The executive director can sign subpoenas as of January 2014, which has been added to the list of delegated authority. The Board approved the delegated authority of the Board Chair, with a recommendation that it be reviewed annually.

Retreat The location of the September 20-22, 2013 retreat has been decided – Oregon Gardens in Silverton.

Formulary Council Meeting/Appointments Not much to update until after the fall meeting. There was no May meeting held, but the September FC meeting will discuss CE opportunities again. The Board is open to suggested presenters.

Directors Report:

Agency Budget Update This six page thirteen month budget report is the most comprehensive review of the 2011-2013 budget. Revenue was higher than estimated, due to a fee increase. Revenues were closer to \$689,000. The PDMP charge goes to DHS; OBNM keeps 5% for administration of the fee. Personal services were lower because of a vacancy that took six months to fill. Although the Board held two contested cases, they were not as costly as cases in the past. This is reflected in Services and Supplies. Total expenditures was about \$100,000 less than budgeted. The discrepancy in funds is reflective of the 2009-2011 budget cycle in which the Board was faced with \$150,000 in contested cases.

Exam The formulary and jurisprudence exams were administered Friday, August 9. There were a total of 60 applicants with 3 applicants taking the test at an alternate site. NABNE had 82 applicants take the NPLEX exam. As usual, Ms Walsh is asking ND members to submit formulary questions for consideration.

FNMRA FNMRA was recreated two years ago and they have been working on trying to figure out how to get all the jurisdictions and licensing authorities to participate on an administrative level opposed to the professional level which is done by ONP & AANP. It has funding issues as well. FNMRA is starting to create an ND disciplinary data base. Starting out very simple and will only be accessible for licensing jurisdictions that are members of FNMRA. Ms Walsh has created a draft spreadsheet for the federation with all public information on discipline issued by OBNM. It's not going to give the disciplinary details at this time, but it is a start.

The federation will be creating a CE approval program which will put standards in place; this may be a revenue source for the federation. The Board will still approve the smaller CE programs.

NABNE Ms Walsh attended the NABNE meeting at the same time that she was at the FNMRA meeting. Ms Walsh asked again about offering a formulary exam nationally, since more states are getting prescriptive authority. NABNE doesn't feel like they have the expertise or funding to offer this service. If NABNE did a national formulary test the Board could possibly forgo the formulary exam and require only the jurisprudence exam in Oregon.

Miscellaneous:

Scope of Practice An Oregon Naturopathic/Homeopathic Doctor contacted the board wanting to know if there were any rules regarding teleconferencing/Skype. It's always been the board's policy for a first time face-to-face office visit with the patient then you can teleconference/Skype. In Division 10 rule 850-010-0005 definition 8 reads: "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. Discussion ensued regarding teleconference/Skype. The ND receives objective data with an office visit (blood pressure check, checking the heart, body language, touch, establish patient/doctor relationship, ect.). The board will discuss this issue more at the upcoming retreat. At this time, any licensee must have a first time face-to-face visit. If a licensee feels s/he is not practicing as a "ND" by only providing homeopathy, they should relinquish their license. The line is too hard to define, since homeopathy is within the scope of naturopathic practice.

NCNM CE request for consideration NCNM submitted a request for consideration of CE offerings. Currently practice building and management practice is not approved for CE credits under rule 850-040-0210(15); this still holds. 850-040-0210 clearly states which topics/programs will not be approved for CE; HIPPA, legal issues, application of law, tortes, naturopathic jurisprudence,

confidentiality, patients' rights, and negligence were also discussed. NCNM will need to go by the guidelines of 850-040-0210 for approved and non-approved CE. Ms. Walsh will respond to inquiry.

Doctors Dispensing Medication The Board does not have any regulations of medication pricing for substances sold from the office.

Colorado Licensure Issue The state of Colorado just started their licensure program. At the present time Colorado does not have their rules in place. The medical board is attempting to cause legal action against ND's in that state. A doctor licensed in Oregon contacted the Oregon Board of Naturopathic Medicine to see what the board could do to help with this. The Board suggested they get legal advice as the OBNM does not have any authority over Colorado jurisdiction.

Durable Medical Equipment Naturopathic doctors are qualified to order durable medical equipment per rule 850-060-0220.

Medical Director ND's can serve as a medical director for any clinic and can oversee anyone within the practice. Can an ND direct a medical assistant to perform laser? They can direct this if medical assistant is properly trained and allowed to do procedure within own scope of practice.

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 2:15pm.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
October 14, 2013

Present: Greg Eckel, ND, Board Chair; Patrick Chapman, ND; Dwight Adkins, Public Member; Lissa McNeil, ND; Charles Wiggins, Public Member; Sara Ohgushi, ND; Anne Walsh, Executive Director.

Excused: Sheila Meyers, ND

The Board went into Public Session at 12:45pm.

Executive Session Motions: In the following cases P. Chapman moved to continue the investigation: **N-12-07-16, N-12-12-33, N-13-02-02, N-13-02-04, N-13-02-05, N-13-03-07, N-13-04-09, N-13-04-12A, N-13-04-13 and N-13-05-15**, motion was seconded by C. Wiggins; and members in attendance were in favor. In the following cases P. Chapman moved to initiate investigation: **N-13-06-16, N-13-07-17, N-13-08-18, N-13-08-19N, N-13-08-20A, N-13-08-21A, N-13-08-22A, N-13-08-23A, N-13-08-24A, N-13-08-25A and N-13-08-26A**, motion was seconded by C. Wiggins; and members in attendance were in favor.

Meeting Minutes: Minutes from August 12, 2013 board meeting were reviewed with any minor corrections to be given to Ms Walsh. S. Meyers moved to accept, C. Wiggins seconded, and all members in attendance were in favor.

Administrative Rules: **850-030-0195** permanent. **850-060-0226** initiate.

General Business:

CE- Pain Management Training – The board is considering changing the annual CE requirement from ten hours of CE pharmacy to either pharmacy or pain management. A lot of Naturopathic Physicians don't prescribe medication. Discussion ensued. The board's decision at this time is to leave the CE requirements alone for a few years. Continue with ten hours of pharmacy CE, two ethics CE and thirty eight general CE per year with a total of fifty CE required each year.

Formulary Council Meeting/Appointments – There is a law put out by the board of pharmacy that private clinics cannot dispense medications unless they have a registration to do so. The goal of the legislation is directed towards companies like Zoomcare where you can slide your credit card into a machine, you punch the numbers and the medication is dispensed right in the waiting room instead of dispensed through an actual pharmacy. This legislation is going to affect Naturopathic Physicians. The formulary council is making a recommendation to the board, to make to the board of pharmacy that Naturopathic Physicians be excluded from this registration, if they dispense ten or less non-scheduled medications from their office. The board of pharmacy has been mandated to write rules to clarify their statutory requirement that anybody dispensing medications out of their office clinic doesn't matter what has to be registered with the board of pharmacy and the registration fee is around \$300. The board of pharmacy would like to be able to have access to go into an office clinic and check. Makes sense to be sure that you are not becoming a pharmacy, but some threshold needs to be set so that a one, a two or a five doctor clinic can have, like a dentist can't even have antibiotics or pain medication. If you dispense B vitamins for people to take home to inject that actually is a dispensed item and that would count as one of your dispensed items. Discussion ensued. Up to ten dispensed medications sounds like a good number for Naturopathic Physicians to be excluded from this law. So moved.

OHSU Opioid Over-Prescribing Conference – C. Wiggins attended the conference and said it was a great conference. Couple things we need to know about is an enormous and very sophisticated

resource just a couple of miles from here which is OHSU. In my conversations with three or four of them suggested that they as either allopaths or osteopaths would be very interested in some form of coordination with Naturopathic Physicians over this issue. Most everyone was talking about methadone and the only reason methadone is so popular is because most allopaths thought that if drug treatment clinics can use it to get people off of heroine then it must be okay, which is not correct and that it is long acting and very unpredictable and a lot of them would not use it in their practices. Almost everybody that talked said that increasing opioid numbers was very poorly correlated with affective management of pain, so if it doesn't work at 60 ml it's not going to work any better at 120 ml, which of course suggest from a lot of our doctors don't know that or haven't internalized it or whatever. Washington state threshold is never a prescription more than 120 ml a day of methadone. They used this conference to roll out an OHSU protocol from their pain clinic, so they really are seeing themselves as taking responsibility for trying to develop sophisticated protocols and publish them. If we wanted to do something in the CE area as a board for Naturopathic Physicians, I suspect we could get lots of information and help from OHSU so we don't have to reinvent the wheel. The formulary council would like to see something in May or June 2014. Anne Walsh will contact OANP to set up a meeting to go over a program like this for Naturopathic Physicians.

Retreat – Each board member needs to review their calendars for a date in the spring of 2014 for the board retreat excluding February and March. This needs to be a Friday-Sunday. This will be discussed and finalized at the December board meeting.

Directors Report:

Miscellaneous:

IV Training – NCNM inquiry on what they can teach their students in advanced training. Can they teach the students a limited advanced training? Would it cover for their advanced IV training on specific nutrients? As long as you have gotten advanced training you should be able to use the items. We need to encourage the instructor to teach the whole advanced training not pieces of the advanced training.

Prolozone Therapy – Has been discussed in the formulary council meeting. If you have proper training you can administer Prolozone Therapy. This is within the scope of practice with proper training. Let's put this question to the formulary council chair Dr. Wilson that has completed the training. Anne Walsh will look at past formulary council meeting minutes regarding discussion on prolozone therapy before responding to the question.

Processing PRP – This is a technician job and the doctor does not have to do it. You can train the technician but it will be the doctor's full responsibility.

Job Shadowing – Its okay but there needs to be a long discussion about privacy.

Use of Cloud "EMR" – The clinic is responsible for the records and as long as the doctor has access to the charts the clinic doesn't need to print them. Administrative access is fine.

Self-Study – No CE for peer review.

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned.

Oregon Board of Naturopathic Medicine
Public Board Meeting
December 9, 2013

Present: Greg Eckel, ND, Board Chair; Patrick Chapman, ND; Dwight Adkins, Public Member; Lissa McNiel, ND; Charles Wiggins, Public Member; Sara Ohgushi, ND; Sheila Meyers, ND; Anne Walsh, Executive Director.

The Board went into Public Session at 12:55pm.

Executive Session Motions: In the following cases P. Chapman moved to initiate disciplinary action: **N-13-02-02 and N-13-03-07**, motion was seconded by D. Adkins; and members in attendance were in favor. In the following cases P. Chapman moved to dismiss without further action: **N-13-02-05, N-13-04-09, N-13-08-18, N-13-10-33**, motion was seconded by C. Wiggins; and members in attendance were in favor. In the following case P. Chapman moved to accept compromise: **N-09-03-08**, motion was seconded by C. Wiggins; and members in attendance were in favor.

Meeting Minutes: Minutes from October 14, 2013 board meeting were reviewed with any minor corrections to be given to Ms Walsh. S. Ohgushi moved to accept, L. McNiel seconded, and all members in attendance were in favor.

Administrative Rules: **850-060-0226** was adopted as permanent. P. Chapman moved to adopt, seconded by S. Myers and all members in attendance were in favor.

General Business:

Best Practices Annual Report – discussion is held in December every year to consider the board's best practices. This may be discussed further at the April strategic meeting, as several of the newer board members were not sure what they should be looking for. Best practices are being fulfilled.

Pain Education Meeting – Patrick Chapman, Charles Wiggins, Anne Walsh, and Kevin Wilson who is the formulary counsel chair, met with Shawn Peters and Sheryl Estland from the OANP CE Committee on December 7, to discuss a spring or summer CE opportunity – presented by the OANP, fulfilling the OBNM's desire to educate NDs on working with drug addicted/dependent patients.

Retreat – The retreat will be held April 11-13, 2014 with location TBD. Information from the previous retreats will be reviewed before the upcoming retreat.

Directors Report: No updated budget.

Miscellaneous: The OBNM received a request for an exception to the IV Chelation refresher requirement. The OBNM is not responsible for informing doctors when their certification expires or provide them with refresher opportunities. All CE opportunities are kept updated on the OBNM web site. At a future meeting the board will discuss the five year recertification of IV Chelation.

Public Comment: No public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 2:30pm.

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