

Oregon Board of Naturopathic Medicine
Public Board Meeting
March 17, 2014

Present: Greg Eckel, ND, Board Chair; Lissa McNiel, ND; Sara Ohgushi, ND; Sheila Meyers, ND; Anne Walsh, Executive Director; Dr. Tyna Moore, Guest.

Excused: Patrick Chapman, ND; Charles Wiggins, Public Member; Dwight Adkins, Public Member

The Board went into Public Session at 1:05pm.

Executive Session Motions: In the following case S. Ohgushi made a motion to authorize amendments to the consent order in **N12-07-16**; S Myers seconded and members present were in agreement. In the following cases S. Ohgushi made a motion to propose a consent order be issued for **N12-08-23, N13-02-02, and N13-03-07**. S. Ohgushi made a motion to continue the investigation in the following cases: **N13-09-09, N13-10-35N, and N13-12-38**. In the following cases S. Ohgushi made a motion to dismiss without further action **N13-10-31, N13-10-32, N13-11-36, and N13-11-37**. And in **N14-02-03A** S. Ohgushi made a motion to approve an application for licensure. All motions were seconded by S. Meyers; and members in attendance were in favor.

Meeting Minutes: Minutes from the December 9, 2013 board meeting were reviewed. S. Ohgushi moved to accept the December 9 minutes as written; L. McNiel seconded, and all members in attendance were in favor.

Administrative Rules: The Board initiated amendments and adopted OAR 850-030-0035 and 850-035-0230 to allow for an inactive natural childbirth certification. DAS determined that the rule change involved program changes that need prior approval from DAS and the legislature. The initiated amendment to these rules will remove that language added for inactive status. 850-060-0226 was initiated at the December 2013 meeting, and needs to be adopted. Additionally, the March 12 FC meeting recommended additions to 850-060-0226. S. Ohgushi moved to initiate the amendments to 850-030-0035, 850-035-0230 and 850-060-0226, and adopt 850-060-0226 as initiated in December 2013; S. Myers seconded and all present agreed.

General Business:

Retreat – The new agenda was discussed; any changes/comments need to be to Ms. Walsh by April 4. The facilitator feels the board can have this retreat complete in one day.

Formulary Meeting – At the March 12, 2014 meeting, there was discussion on the pain education seminar that is happening in June. Kevin Wilson has been working on the speakers. OANP has not shared any specific information with the Board to date.

OHA – Every physician that gets reimbursed by any kind of insurance, or is credentialed by any kind of panel or board will soon be in one database with the Oregon Health Authority. There is much work to be done before this can be utilized.

Directors Report: Any budget exception must be submitted by March 31. This includes the change to the inactive natural childbirth fee, and the request for a full time investigator (from .5FTE)

Miscellaneous:

Stem Cell Therapy – This is considered a minor surgery procedure. The board does not have a position on this procedure as long as it is within the scope of practice and the doctor has the education and training to provide the highest care. Dr. Moore ND spoke to the Board and shared her knowledge on the process to educate the Board.

Protocols for Treating Minors - L. McNiel did some research and shared that the age of consent is 15years old for any procedure in Oregon; testing and treatment for any one with communicable diseases is available at any age, with no consent necessary. There was discussion on needing written consent to insert an IUD.

Two NDs who have recently been disciplined by the Board for prescription and drug seeking patient issues are willing to speak of their experience to others in the profession.

Because of the upcoming retreat, the next Board meeting will be June 9.

Public Comment: Tyna Moore ND spoke to the Board on the Adult Stem Cell Therapy. No additional public comment was received at this meeting.

As there was no more business to discuss, the Board adjourned at 1:52pm.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
June 9, 2014

Present: Greg Eckel, ND, Board Chair; Sara Ohgushi, ND; Sheila Meyers, ND; Charles Wiggins, Public Member; Dwight Adkins, Public Member; Anne Walsh, Executive Director; and Dr. Katrina Wilhelm, ND, Guest; John Terpening, LFO Analyst.

Excused: Lissa McNiel, ND, and Patrick Chapman, ND

The Board went into Public Session at 12:40pm.

Executive Session Motions: S. Ohgushi made a motion to impose a civil penalty in **N12-11-31N**, D. Adkins seconded and members present were in agreement. In the following cases S. Ohgushi made a motion to dismiss: **N13-09-28, N14-01-01N, N14-01-02, N14-02-04, N14-03-06, N14-04-07, N14-04-09 and N14-04-10**, D. Adkins seconded and members present were in agreement. In the following cases S. Ohgushi made a motion to open an investigation: **N14-05-11, N14-05-12N and N14-06-14**, D. Adkins seconded and members present were in agreement. S. Ohgushi made a motion to approve the issuance of a license in **N14-05-13A**, D. Adkins seconded and members present were in agreement.

Meeting Minutes: Minutes from the March 17, 2014 board meeting were reviewed. D. Adkins moved to accept the minutes as written, S. Ohgushi seconded, and all members present were in agreement.

General Business:

Administrative Rules – S. Ohgushi made a motion to adopt administrative rules OAR 850-030-0035, 850-035-0230 and 850-060-0226, D. Adkins seconded, and all members in attendance were in favor. The board began discussion on, the Oregon Board of Pharmacy, working on a rule to regulate drug dispensing from doctors offices. OBNM will continue discussion on creating a rule regarding any prescription medication being dispensed out of the office.

2014 Strategic Retreat Review/Adopt Report – The strategic retreat evaluation report is approved and will be posted to the website.

2014 Strategic Retreat Update – About a year ago, the OBNM formulary committee and OANP started planning the Pain Education Seminar which will be held June 14, 2014. At the 2014 Board retreat it was decided to send out three mass emails for the Pain Education Seminar in June. G. Eckel, P. Chapman and S. Ohgushi will connect with NCNM and discuss ways in which board members can be involved in grand rounds to continue awareness of pain patients and prescribing responsibilities, so doctors can be aware of issues that come up and how to handle them.

Pain Education Seminar – As recommended A. Walsh sent an email “push” regarding the June 14, 2014 pain education seminar on May 18, May 25, with final push going out June 9.

Formulary – Formulary questions are needed for the upcoming state license exam. In the future if NABNE decides to write a pharmacology exam as part of the national exam then OBNM could drop the formulary part of the state license exam.

Board Chair Appointment – D. Adkins nominated Greg Eckel, ND be reappointed as board chair for another year, S. Ohgushi seconded, and members present were in agreement.

FARB Membership – Federation of Associations of Regulatory Boards is a national organization that meets once a year to discuss best ways to regulate professions. There are some medical boards that are members and it would be a good idea for OBNM to join. A. Walsh will contact FARB to get more information on becoming a member.

Legislation: LC833/001 will amend ORS 685.160 to assure board members can serve two consecutive full terms. S. Ohgushi met with A. Walsh to discuss the possibilities of establishing a mentorship program for new members.

Political Campaigning – Board members were given an informational sheet regarding political campaigning.

Directors Report: OBNM is on target for the 2013-2015 budget. The 2015-2017 budget is in process and needs to be completed by August 1, 2014.

Fall Newsletter – Articles for the Fall Newsletter are due by August 11, 2014. The newsletter needs to be mailed by October 1. L. McNiel will be researching a possible article on tele-medicine and will bring the information to the August 11 meeting. S. Ohgushi will submit an article about being a board member and getting involved in any commission. C. Wiggins will submit an article regarding pain management and the recent pain education seminar. G. Eckel will submit an article regarding personal integrity medical decision making.

Disciplinary Spreadsheet – The disciplinary spreadsheet for violations and non-formal actions will be updated for every board meeting.

Miscellaneous: EBAS – Ethics and Boundaries Assessment Services LLC could be valuable to the board in disciplinary cases. The Board will review their services at a later time.

Public Comment: Katrina Wilhelm, ND, member of the public, commented that there are a lot of initiatives from the Board retreat that are strong and will benefit the profession, through CE and looking at where concerns come up so that ND's are staying smart and safe.

No additional public comment was received at this meeting.

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

The next Board meeting will be August 11, 2014.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
August 11, 2014

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

The Board went into Public Session at 12:52pm.

Executive Session Motions: P. Chapman made a motion final order default in **N12-11-31N**, D. Adkins seconded and members present were in agreement. In the following cases P. Chapman made a motion to dismiss without action: **N13-09-29**, **N14-05-11**, **N14-05-12N**, **N14-06-16**, C. Wiggins seconded and members present were in agreement. In the following cases P. Chapman made a motion to allow to apply for licensure: **N14-07-22A**, **N14-07-23A**, **N14-07-25A**, **N14-07-26A**, **N14-07-27A**, S. Meyers seconded and members present were in agreement. In the following cases P. Chapman made a motion to initiate investigation: **N14-07-28**, **N14-08-29**, D. Adkins seconded and members present were in agreement.

Meeting Minutes: Minutes from the June 9, 2014 board meeting were reviewed. Correction to the June 9 minutes regarding NCNM grand rounds, G. Eckel and P. Chapman will connect with NCNM and S. Ohgushi is available to help if needed. S. Ohgushi moved to accept the minutes as written with the change, S. Myers seconded, and all members present were in agreement.

Administrative Rules – The Oregon Board of Pharmacy is working on a rule to regulate drug dispensing from doctors offices. A. Walsh will keep the board informed of this new rule.

General Business:

Legislation – LC649 final draft will go in front of the Senate or House. C. Wiggins has volunteered to go to Salem with A. Walsh if needed.

CNME – The Board will review the information in the board packet on reassessing the education for ND training and give input to A. Walsh by September 5 on future education considerations.

Define Telemedicine in relationship to ND's – L. McNiel is working on a newsletter article to inform naturopaths of some key points if using telemedicine.

Opioid Prescribing Guidelines/Policy – The Board discussed the potential for up to three people (two board members and one FC member) to attend a “Best Practices in Opioid Prescribing” being held in AZ. It is a one day event. After attending the participants will put together a draft policy for the Board’s consideration to be implemented as a “best practices in opioid prescribing” for ND use. P. Chapman will take the lead on this project. A vote to approve this was passed unanimously.

Executive Director Pay Rate – S. Ohgushi made a motion to advance the executive directors pay rate one level from her current step, effective August 11, 2014; C. Wiggins seconded and all members present were in agreement.

Strategic Planning Update – G. Eckel’s long range plan was to protect the public by improving and directing physician continuing education this was achieved through reminder emails for the Pain Education Seminar on June 14.

S. Ohgushi and A. Walsh met regarding board members finding board member replacement and for the first 6 months help mentor that person. S. Ohgushi is working on a newsletter article for naturopaths to serve on the board or boards as public members.

D. Adkins and A. Walsh are working on implementing the Board’s legislative power and will meet in the fall to discuss further action and legislation that may need changes made.

A. Walsh is working on improving communication with NDs and protecting the public through educating our physicians about the boards work and trends. She will make herself assessable to the schools, professional associations and other community efforts.

G. Eckel, P. Chapman and S. Ohgushi will continue to work towards further connecting with NCNM and getting Board members involved in Grand Rounds, in an effort to bring better awareness of pain patients and prescribing responsibilities, and how to handle them.

Short term items from the retreat were discussed. One item was the possibility of changing the frequency of license renewal. P. Chapman reported that after talking with other NDs, keeping the renewal once a year is best. P. Chapman working on exploring collaborative possibilities with NCNM and OANP.

Directors Report: OBNM is on target for the 2013-2015 budget. Agency requested budget was sent in for the next biennium.

State Exams August 8, 2014 – A total of 57 people took the licensure exam with one person taking the exam at an alternate site in Arizona and one person in Illinois.

FNMRA/NABNE meeting August 4-6, 2014 – The federation is just now getting states to actually participate which have been an issue in the past. The Oregon board is autonomous with the ability to be the decision makers. Many states are under umbrellas so even though the board says we need to be part of this national association they have to put in a bid for membership fees, and prove a greater value to a higher authority that makes the decision for them. It can take up to 2 years to get approval for membership to the FNMRA. The disciplinary database, although simple, is set up in a spreadsheet. Each state submits its discipline to the FNMRA program manager who loads it into the spreadsheet (database).

CNME is looking at different educational opportunities; these changes may affect NABNE’s exam process and state licensure. Ms. Walsh will keep the Board apprised of changes if they are made.

Fall Newsletter – A. Walsh is working on this and needs all articles by September 1, to make a September 15 deadline. This newsletter will be the renewal notice, instead of sending out postcard reminders.

CLEAR September 10-14, 2014 – Counsel on Licensing Enforcement and Regulation is a national organization that does licensing, education and regulations and also investigative training. The conference will cover interstate practice, telemedicine and regulating.

Miscellaneous: There was an inquiry regarding Aesthetic medicine – The Board confirmed that this is within the scope of practice.

Public Comment:

No additional public comment was received at this meeting. As there was no more business to discuss, the Board adjourned at 2:25pm.

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

Oregon Board of Naturopathic Medicine
Public Board Meeting
October 13, 2014

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

Excused: Sheila Meyers, ND, Charles Wiggins, Public Member

The Board went into Public Session at 1:30pm.

Executive Session Motions: S. Ohgushi made a motion in **N13-12-38** to issue disciplinary action, D. Adkins seconded, P. Chapman abstained and the rest of the members present were in agreement. P. Chapman made a motion to dismiss the following cases: **N14-03-05, N14-07-18, N14-07-19**, D. Adkins seconded and members present were in agreement. P. Chapman made a motion to issue a license in case **N14-07-20A, N14-07-21A**, D. Adkins seconded and members present were in agreement. P. Chapman made a motion to open an investigation in **N14-08-30, N14-08-31, N14-09-33, N14-10-34**, D. Adkins seconded and members present were in agreement. P. Chapman made a motion in case **N14-08-32** to dismiss without action L. McNeil seconded and members present were in agreement.

Meeting Minutes: Minutes from the August 11, 2014 board meeting were reviewed. S. Ohgushi moved to accept the minutes as written, L. McNeil seconded, and all members present were in agreement.

Administrative Rules: The Oregon Board of Pharmacy is working on a rule to regulate drug dispensing outlets; this may include ND offices. The Board discussed working on rules/guidelines for the storage of drugs in office. The Formulary Council will be asked to consider this and report to the board. Ms. Walsh shared that an OANP representation was clear that this was too restrictive and would oppose this further. A. Walsh will keep the board informed of this rule.

Cultural Competency Rule – This rule proposes that all health professionals must take cultural competency as part of their CE requirement. The Health Authority (OHA) suggests that the OAH will have the list of approved classes online. It is unclear who will be held responsible for maintaining these records or if the final will require or recommend this as a CE opportunity. A. Walsh will work on language to add cultural competency as an approved CE opportunity to OAR 850-040-0210.

General Business:

Legislation – LC 649- OBNM LC on Board terms is in the works; no motion at this time. A Walsh will meet with the Governor's office before it is approved for submission for a hearing.

Opioid Prescribing Guidelines/Policy – P. Chapman, C. Wiggins and Kevin Wilson, ND (FC Chair) attended the one day event, "Best Practices in Opioid Prescribing" in AZ. The Board approved this expense in an effort to create a policy on opiate prescribing that is relevant to all NDs (and maybe other professionals). P. Chapman, C. Wiggins along with K. Wilson are working on a draft policy for the Board's consideration. P. Chapman is the lead person on this project.

Strategic Planning Update – S. Ohgushi connected with NCNM about getting involved in Grand Rounds in an effort to bring better awareness of pain patients and prescribing responsibilities, and how to handle them. S. Ohgushi, G. Eckel and P. Chapman will set a date to meet with NCNM during the spring term.

Directors Report: The Board reviewed the budget through August 2014.

Agency Consolidation – A. Walsh shared discussion that was had the directors of other health licensing agencies, that there may be a bill on consolidation in the works for 2015. After discussion, the Board still opposes such legislation. A. Walsh will keep the Board apprised of changes if they are made.

Annual Newsletter – The OBNM newsletter is at the printers and will be mailed to all licensees as their renewal notice before the November 1 deadline; and posted to the web site.

Renewal Status – Online renewal is ready and after some test renewals are processed it will go live by November 1.

CLEAR Conference -September 10-14, 2014; the Council on Licensing Enforcement and Regulation is a national organization that does educational training on licensing, regulatory and investigative training. A. Walsh attended the conference as a Board member of NABNE. Unfortunately, the conference did not hold courses on telemedicine or interstate regulation as originally thought.

Miscellaneous: What is the protocol for patient record requests between practitioners? After discussion, it was determined that a reasonable fee can be charged; however, there is not usually a charge between practitioners as a common courtesy.

Public Comment: No one was in attendance to provide public comment.

As there was no more business to discuss, the Board adjourned at 3:20pm.

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

**Oregon Board of Naturopathic Medicine
Public Board Meeting
December 8, 2014**

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

Excused: Dwight Adkins, Public Member

The Board went into Public Session at 12:32pm.

Executive Session Motions: P. Chapman made a motion to dismiss without action the following cases: **N08-07-16** and **N14-10-34**, C. Wiggins seconded; members present were in agreement. P. Chapman made a motion to approve licensee application in the following case: **N14-07-17A**, L. McNiel seconded; members present were in agreement. P. Chapman made a motion to open investigation in cases: **N14-10-35, N14-10-36, N14-10-37, N14-11-38, N14-11-39N, N14-11-40, and N14-12-41N**, S. Myers seconded; members present were in agreement. P. Chapman made a motion to dismiss without action the following case: **N14-08-31**, S. Myers seconded; members present were in agreement.

Meeting Minutes: Minutes from the October 13, 2014 board meeting will be reviewed at the February 9, 2015 meeting.

Administrative Rules: The Oregon Board of Pharmacy (OBP) will be submitting a legislative concept to change statute so that a drug dispensing outlet rule can be written in July 2015. All FDA approved drugs would be part of this rule, a fee would be charged for registration, inspections can be done by the OBP, discipline would be handled by OBP and the licensing Board may not ever become aware of any infraction. OBP states that they are not disciplining NDs, only the practice/clinic. A. Walsh will keep the licensees and the board apprised of any information received on this matter.

Cultural Competency Rule – The Health Authority (OHA) will have approved cultural competency programs listed on their web site. Although it will not be required CE, A. Walsh will work on language to add it as an approved CE opportunity

OAR 850-030-0195(12) – Clarifying language for expired licensees, and lapsed licensed reinstatement will be presented to the Board at a future meeting.

Oregon Work Force – This is a program under The Health Authority (OHA) which has started to collect general data information from all health care professionals within the state of Oregon. OWF currently collects a fee of \$5 from each health care professional renewal; as well as the data information. The intent of this program is to see what the workforce is in the state of Oregon, as far as health care providers and what their needs are. A. Walsh will be watching legislation on this program and will keep the board apprised.

General Business:

Legislation/Board Membership – LC 649 will amend 685.160 regarding board terms in which a person can serve for two consecutive terms; no motion at this time. A. Walsh has met with the Governor's office on this matter and sees no conflict. S. Myers and D. Adkins were approved for reappointment.

Opioid Prescribing Guidelines/Policy – P. Chapman, C. Wiggins, and K. Wilson are still working on a policy suitable for adoption by the OBNM for ND practice. C. Wiggins suggests the OBNM consider requiring the use of the PDMP if prescribing opiates; the ND could be required to notify the Board (in some manner) when doing any prescribing that includes opiates and benzodiazepines, or prescribing controlled substances over a determined quantity/dosage.

Formulary Council Meeting – P. Chapman reported that medical marijuana was discussed with NDs having prescribing authority with the passage of recreational marijuana. This is an area that the Oregon Association of Naturopathic Doctors should address with their legislative committee and bring up as a legislative concept.

Strategic Planning Update – ~A. Walsh put together a list of statutes that need to be updated. She will work with D Adkins to see what can be one during this session. ~P. Chapman, S. Ohgushi and G. Eckel will be doing a grand rounds presentation at NCNM in the spring (May 11, 2015 7:30am), in an effort to bring better awareness of pain patients and prescribing responsibilities, how to handle difficult patients and the OBNMS role in disciplining. ~ The Governor's office is aware of OBNM's interest in starting a new member-mentoring program, requiring the outgoing Board member to be available for a year to the new [replacement] member. ~G. Eckel is willing to work with the director to make sure office procedures and processes are documented. A. Walsh shared that office desk manual is constantly being updated.

Directors Report: There is no budget update at this time.

Renewal Status – Renewals are going smoothly, with about 300 Naturopathic Doctors have renewed at this time. Many wait until after the OANP December conference to submit renewals.

Miscellaneous: A letter regarding chelation education came to the board office asking if a person can skip the practicum, exam and just complete the curriculum. The board decided that the curriculum and exam must be completed.

Network Health Product Distribution – This is regarding consumer protection laws. This is not within the board's jurisdiction. If a complaint came to us then we would investigate the complaint.

Public Comment: No one was in attendance to provide public comment.

As there was no more business to discuss, the Board adjourned at 1:53pm.

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