

Oregon Board of Naturopathic Medicine
Public Board Meeting
February 14, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Robert Skarperud, ND, Tracy Erfling, ND; Public Member: Jenny Anderson, RN; Executive Director Mary-Beth Baptista.

The Board went into Public Session at 11:35 am

Public Session Minutes: Board member J. Freedman made a motion to approve the December 13, 2021, public minutes. Board member Dr. T. Erfling seconded. R. Minarik & M. Larivee Abstained. Board approved.

Executive Session Minutes: Board member J. Freedman made a motion to approve the December 13, 2021, executive session minutes. Board member Dr. T. Erfling seconded. R. Minarik & M. Larivee Abstained. Board approved.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Case 21-08-27 board member Dr. T. Erfling made a motion to close case without discipline. Board member J. Anderson seconded. The Board approved unanimously.

Case 19-09-13 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. R. Skarperud seconded. The Board approved unanimously.

Case 20-01-01 board member Dr. T. Erfling made a motion to propose discipline. Board member Dr. Ryan Minarik seconded. The Board approved unanimously.

Case 22-01-03 board member Dr. T. Erfling made a motion to close case without discipline. Board member J. Anderson seconded. The Board approved unanimously.

Case 20-06-14 board member Dr. T. Erfling made a motion to close case without prejudice. Board member Dr. R. Skarperud seconded. Dr. B. Walter abstained. The Board approved unanimously.

Welcome new board members, Dr. Ryan Minarik and Dr. Megan Larivee

FNMRA: Interstate Compact Coalition

Executive Director, MB. Baptista sits on the Federation Board as secretary. The Federation would like to see equal scope of practice nationwide to ease reciprocal licensure (interstate licensure). The Federation requested a letter of support from OBNM to engage in research on the idea. Board also discussed potential issues regarding reciprocity due to Oregon broad scope of practice. Dr. B. Walter made a motion for ED Baptista, to write a letter to support

research for interstate compact licensure. J. Anderson seconded. Board approved unanimously.

New Rule Proposals:

A. Access to medical records from a deceased provider

Dr. R. Minarik recommended that NDs must add to their licensure record in the database a records designee to get initial license, and update / confirm for annual license renewal.

B. Vasectomy / Colonoscopy

ND's can perform vasectomy but not colonoscopy. The board discussed additional training in vasectomy and updating the minor surgery rule. The Board decided not to add additional training to the minor surgery rule.

C. [850-050-0010](#) Sanctions for Violations

1. Sexual Misconduct

2. Honesty / Cooperation in Investigations

MB. Baptista will update the ethics/investigation/discipline rules and bring drafts to the board for review.

Amendments to current rule:

[850-060-0212\(7\)](#) Education and Reporting Requirements for Injection and IV Therapy.

Dr. T. Erfling made a motion to update the rule re-numbering/removing preventative injections. Dr. R. Minarik seconded. Board approved unanimously.

Recently Adopted Rules, Effective Jan. 1, 2022

A. [850-030-0195](#) – CE Change of Status Retired License

B. [850-040-0210](#) – Pain Management CE

C. [850-030-0020](#) – Pain Management CE

Rules updated and on the website.

Director's Report:

A. Reminder: April Meeting Changed to Monday, April 25, 2022

B. Update on IV / Injection Therapy CE Compliance

ND's submitted reports most by December 31. MB. Baptista reviewing reports submitted and approving/request for more information.

C. Budget Note Report / Hearing Update: [Listen to hearing](#) -

<https://olis.oregonlegislature.gov/liz/mediaplayer?clientID=4879615486&eventID=2022021017>

MB. Baptista gave the budget note report to the legislative committee. The report went to the full committee, passed with no position.

D. NUNM Grand Rounds Presentation

MB. Baptista gave an overview on processes of the Board.

E. New Board Member On-Boarding

Onboarding meeting, January 8, 2022 went well and Dr. R. Minarik & Dr. Megan

Larivee stated the meeting was very helpful.

Public Comment

No public comment

Public meeting adjourned 1:00 pm

Oregon Board of Naturopathic Medicine
Public Board Meeting
April 25, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Robert Skarperud, ND, Tracy Erfling, ND; Public Member: Jenny Anderson, RN; Executive Director Mary-Beth Baptista & Haley Morris-Miller.

The Board went into Public Session at 11:58 am

Public Session Minutes: Board member Dr. B. Walter made a motion to approve the February 14, 2022, public minutes. Board member Dr. M. Larivee seconded. Board approved.

Executive Session Minutes: Board member Dr. M. Larivee made a motion to approve the February 14, 2022, executive session minutes. Board member Dr. R. Minarik seconded. Board approved.

Onboarding Public Minutes: MB. Baptista approved minutes.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Dr. T. Erfling made a motion to extend investigation / cases 120 days on the case tracking form from 4/25/2022. Dr. R. Skarperud seconded. Board approved.

Case 20-06-13 board member Dr. T. Erfling made a motion to close case without discipline. Board member J. Anderson seconded. The Board approved unanimously.

Case 20-11-26 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 21-01-06 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 21-05-19 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 21-06-21 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Board Member Recruitment

Dr. Tracy Erfling and Dr. Robert Skarperud terms are up in December 2022. Recruitment will open for their positions in August, unclear at this point the application deadline. Dr. Bill Walter and Jennifer Anderson terms expire in June, both will re-apply to sit on the Board for appointment in the fall.

Administrative Rules / Legislative Concepts:

A. Access to medical records from a deceased provider

At the February 2022 board meeting Dr. R. Minarik recommended that NDs add to their licensure record in the database a records designee to get initial license, and update / confirm for annual license renewal.

Update: MB. Baptista reported this does not require a rule change, and can be incorporated in the application & renewal process in the current rules. Will add in data base as a line item required in for application and renewal.

B. [850-050-0010](#) Sanctions for Violations – Discussion regarding revisions.

1. Sexual Misconduct

2. Honesty / Cooperation in Investigations

Update: MB on behalf of the Board submitted a legislative concept that revises the entire discipline statute; which hasn't been updated in close to 30 years. If / when the legislative concept accepted / and approved by the legislature, the rule will be revised based on the statute.

C. Second Legislative Concept submitted for a second time, allowing the Board to conduct an substance / mental health evaluation / treatment. Incorporating the one public comment made to add gambling addiction.

D. Rule change re: Statutorily Required Payment. Board recommended changing the rule for half day payment to \$100.

Amendments / Public Comment / Approval:

[850-060-0212\(7\)](#) Education and Reporting Requirements for Injection and IV Therapy.

Dr. T. Erfling made a motion to update the rule re-numbering/removing preventative injections. Dr. R. Minarik seconded. Board approved unanimously.

Public comment on regarding requiring sequential training for upper body / lower body. Board recommended considering this change at a later date, when/if the rule is changed to allow injectable ketamine.

Formulary Sub-Committee – Injectable Ketamine

Per Board request, Dr. Hicks made a presentation to the Formulary Council regarding changing the formulary to remove the restriction on injectable ketamine. Formulary Council recommended a subcommittee review the rule and pertinent information to determine whether to change the rule. Public notice sent; first meeting scheduled for May 5.

Director's Report:

A. MB spoke at Grand Rounds/NUNM, gave an overview of the Board investigation

and discipline process / responsibilities of the Board.

B. AANP CE Pharmacy Definition – This topic hold over for the June meeting when discussing the CE rule/applications. AANP contacted the board April 2022 requesting the boards definition for pharmacy CE. R. Crumpler forwarded the email to Dr. T. Erfling. Dr. T. Erfling responded add to the board meeting agenda for discussion.

C. Budget Report: reviewed.

Break from public session at 12:45 pm

Back into public session 1:03 pm

Amendments / Public Comment / Approval:

[850-060-0212\(7\)](#) Education and Reporting Requirements for Injection and IV Therapy.

Dr. R. Minarik made a motion to approve the amended OAR 850-060-0212. Jennifer Anderson seconded. Board approved unanimously.

Public Comment

No public comment

Public meeting adjourned 1:05 pm

Oregon Board of Naturopathic Medicine
Public Board Meeting
June 13, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Robert Skarperud, ND, Tracy Erfling, ND; Public Member: Jenny Anderson, RN; Executive Director Mary-Beth Baptista & Haley Morris-Miller.

The Board went into Public Session at 1:25 am

Guest: Haley Morris Harris

Public Session Minutes: Board member Dr. B. Walter made a motion to approve the April 25, 2022, public minutes. Board member Dr. M. Larivee seconded. Board approved.

Executive Session Minutes: Board member Dr. M. Larivee made a motion to approve the April 25, 2022, executive session minutes. Board member Dr. R. Minarik seconded. Board approved.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Dr. T. Erfling made a motion to extend investigation / cases 120 days on the case tracking form from 6/13/2022. Dr. R. Skarperud seconded. Board approved.

Case 21-03-11 board member Dr. T. Erfling made a motion for proposed discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 20-07-17 board member Dr. T. Erfling made a motion to close case without violation. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 21-02-08 board member Dr. T. Erfling made a motion to close case with letter of education no violation. Board member J. Anderson seconded. The Board approved unanimously.

Case 21-11-48 board member Dr. T. Erfling made a motion to close case without discipline. Board member Dr. R. Skarperud seconded. The Board approved unanimously.

Case 22-04-14 board member Dr. T. Erfling made a motion to propose discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Administrative Rules Draft Revisions by statute:

- A. 850-005-0190 Board Member Compensation (Increase) – Draft
https://www.oregon.gov/gov/SiteAssets/How_To_Apply/HB-2992-FAQ.pdf
- B. 850-030-0035 Licensure Fees; Certifications; Miscellaneous (PDMP Fee increase) – Draft
https://www.oregonlegislature.gov/bills_laws/ors/ors431A.html (See Section: 431A.880)

- C. 850-030-0065(proposed #): 30-day Practice by a Non-Compensated Out-of-State Licensed Naturopathic Physician
<https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/HB4096/Enrolled>
- D. 850-010-0180 Professional Standards and Communication (Interpreter Requirements) – Draft
https://oregon.public.law/rules/oar_chapter_333_division_2
- E. LEDS Audit – Renewal Criminal History Checks
 - https://www.oregon.gov/omb/board/Documents/HPRD-Audit-2014_03.pdf
 - 850-030-0030 ~~Applicant~~ Fitness for Licensure – Draft
- F. 850-040-0240 Continuing Education Program Approval – Draft
 - Proposed CE application / approval form
- G. 850-040-0210 Continuing Education – Draft
- H. 850-030-0020 Initial Active Licensure Requirements – Draft
- I. 850-020-0005 Exercise of Board Authority – Delete / Duplicative
- J. 850-020-0025 Review Procedures - Draft

Board member Dr. B. Walter made a motion to submit notice of proposed rulemaking for the above rules. Board member Dr. R. Skarperud seconded. The Board approved unanimously.

Board Member Recruitment – Two ND Member Vacancies December 2022 / August Application Deadline

- Board will hold a Special Session to review applications submitted for two vacancies left by term limited out - Dr. Tracy Erling and Dr. Robert Skarperud. Board will also review renewal applications from Dr. Bill Walter and Jennifer Anderson (terms expired in June 2022).

Update Formulary Sub-Committee – Injectable Ketamine

Dr. R. Minarik reported moving along and future meetings to come.

Director’s Report:

- A. Budget Report – Board has no questions on the budget.
- B. Board Meeting In-Person – AUGUST!
The August 8 board meeting will be in-person.

Public Comment

No public comment

Public meeting adjourned 2:57 pm

Oregon Board of Naturopathic Medicine
Public Board Meeting
July 13, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Robert Skarperud, ND, Tracy Erfling, ND; Public Member: Jenny Anderson, RN; Executive Director Mary-Beth Baptista.

1. Review Board member applications for Board recommendation

The Board reviewed applications submitted by July 1, 2022, for Board appointment. Board unanimously recommended the re-appointment of Jenny Anderson and Dr. Bill Walter for an additional term. Both have consistently attended meetings and brought insight to the Board based on their respective areas of expertise.

The Board also unanimously recommended the appointment of Dr. Zia Robles-Hernandez and Dr. Ryan Martin to the Board to replace outgoing / term limited members Dr. Robert Skarperud and Dr. Tracy Erfling.

Dr. Zia Robles-Hernandez has been a licensed naturopathic physician in Oregon since 2011. This is the second time she has applied to the Board. She was the first alternate to the Board selections in the last round. The Board found her answer to why she wanted to serve on the Board compelling and encapsulating of the value she can bring to the Board.

Dr. Ryan Martin has been a licensed naturopathic physician in Oregon since 2015. Dr. Martin is also a certified Naturopathic Midwife. This is the first time in approximately 15 years the Board does not have a ND Midwife serving as a Board member. This is a unique practice area and it is imperative to have this experience, education and voice on the Board.

The Board chose two alternates in the following order:

Dr. Gaby Carter, please see Dr. Carter's answer for wanting to serve on the Board, in most relevant part / basis of the Board decision.

Dr. Terrance Manning. This is the second time that Dr. Manning applied to be on the Board. He was an invaluable member of the Board / Formulary IV Injection therapy subcommittee from 2020-2021.

2. Review for approval Budget Policy Option Packages

Board approved submission of Board Policy Option Package 100 and 101.

Public Comment

No public comment

Oregon Board of Naturopathic Medicine
Public Board Meeting
August 8, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Tracy Erfling, ND; Public Member: Jenny Anderson, RN; and Executive Director Mary-Beth Baptista.

The Board went into Public Session at 12:00 pm

Excused Absence: Robert Skarperud, ND

Public Session Minutes: Board member Dr. B. Walter made a motion to approve the public minutes for June 13, 2022 & July 13, 2022. Board member Dr. T. Erfling seconded. Board approved.

Executive Session Minutes: Board member Dr. B. Walter made a motion to approve the June 13, 2022, executive session minutes. Board member Dr. T. Erfling seconded. Board approved.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Dr. T. Erfling made a motion to extend investigation / cases 120 days on the case tracking form from 8/8/2022. Board member Dr. R. Minarik seconded. Board approved.

Case 21-02-07 board member Dr. T. Erfling made a motion for proposed discipline, 4 CE hours, \$2,500 fine and 1 year probation. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 21-05-16 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Case 21-06-20 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member J. Anderson seconded. The Board approved unanimously.

Case 21-07-22 board member Dr. T. Erfling made a motion for proposed discipline, 12 CE hours, \$7,500 civil penalty and 3 years probation. Board member Dr. B. Walter seconded. The Board approved unanimously.

Administrative Rules Draft Revisions by statute:

- A. 850-005-0190 Board Member Compensation (Increase) – Draft
https://www.oregon.gov/gov/SiteAssets/How_To_Apply/HB-2992-FAQ.pdf
The Board reviewed the current compensation rule, \$200 per meeting/preparation totaling \$400 for each meeting. The Board discussed \$160 per meeting/preparation

totaling \$320. Formulary Council will receive \$160 compensation per meeting and preparation/review of materials on the same day of meeting.

Board Chair J. Freeman made a motion to accept the rule changes \$160 per meeting and preparation Board members totaling \$320 and \$160 for Formulary Council. Board member Dr. B. Walter seconded. The Board approved unanimously.

- B. 850-030-0035 Licensure Fees; Certifications; Miscellaneous (PDMP Fee increase) – Draft
https://www.oregonlegislature.gov/bills_laws/ors/ors431A.html (See Section: 431A.880)

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. T Erfling seconded. The Board approved unanimously.

- C. 850-030-0065(proposed #): 30-day Practice by a Non-Compensated Out-of-State Licensed Naturopathic Physician
<https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/HB4096/Enrolled>

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. B. Walter seconded. The Board approved unanimously.

- D. 850-010-0180 Professional Standards and Communication (Interpreter Requirements) – Draft
https://oregon.public.law/rules/oar_chapter_333_division_2

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. R. Minarik seconded. The Board approved unanimously.

- E. LEADS Audit – Renewal Criminal History Checks
- https://www.oregon.gov/omb/board/Documents/HPRD-Audit-2014_03.pdf
 - 850-030-0030 Applicant-Fitness for Licensure – Draft

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. B. Walter seconded. The Board approved unanimously.

- F. [850-040-0240](#) Continuing Education Program Approval – Draft
- Proposed CE application / approval form
- The Board will only review/approve programs for Oregon ND's.

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. R. Minarik seconded. The Board approved unanimously.

- G. 850-040-0210 Continuing Education – Draft
Notify OANP legislative Council of pain/cultural competency for their year-end CE.

Board Chair J. Freeman made a motion to accept the rule changes. Board member

Dr. B. Walter seconded. The Board approved unanimously.

- H. 850-030-0020 Initial Active Licensure Requirements – Draft
MB. Baptista will review/research the 7-year rule for the NPLEX examination and report back if changes need to be made to the rule.

Board Chair J. Freeman made a motion to accept the rule changes. Public Board member J. Anderson seconded. The Board approved unanimously.

- I. 850-020-0005 Exercise of Board Authority – Delete / Duplicative
Take out profession and insert public in the rule.

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. B. Walter seconded. The Board approved unanimously.

- J. 850-020-0025 Review Procedures - Draft

Board Chair J. Freeman made a motion to accept the rule changes. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Director’s Report:

A. Board Member Recruitment – Governor’s office accepted the Boards recommendations

B. Legislative Concepts Update: Updating discipline rule. Adding mental health evaluation, drug addiction and gambling addiction treatments to the discipline rule to line-up with other state agencies.

C. Formulary Council: Board member Dr. T. Erfling made a motion Dr. B. Walter continue as a member of Formulary Council. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Out of public session at 1:00 pm
Back in public session at 2:00 pm

Public Comment

No public comment

Public meeting adjourned 2:05 pm

Oregon Board of Naturopathic Medicine
Public Board Meeting
October 10, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Tracy Erfling, ND, Robert Skarperud, ND; Public Member: Jenny Anderson, RN; and Executive Director Mary-Beth Baptista.

The Board went into Public Session at 12:42 pm

Public Session Minutes: Board member Dr. B. Walter made a motion to approve the public minutes for August 8, 2022. Board member J. Anderson seconded & Dr. R. Skarperud abstained. Board approved.

Executive Session Minutes: Board member Dr. B. Walter made a motion to approve the August 8, 2022, executive session minutes. Board member Dr. R. Minarik seconded & Dr. R. Skarperud abstained. Board approved.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Dr. T. Erfling made a motion to extend investigation / cases 120 days on the case tracking form from 10/10/2022. Board member Dr. R. Minarik seconded. Board approved.

Case 22-10-24 board member Dr. T. Erfling made a motion for emergency suspension with notice by the executive director. Board member J. Anderson seconded. The Board approved unanimously.

Case 20-10-40 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Case 21-10-41 board member Dr. T. Erfling made a motion to discipline 36 months' probation, \$5,000 civil penalty, and 10 hours of CE. Board member Dr. R. Skarperud seconded. The Board approved unanimously.

Case 21-10-44 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member J. Anderson seconded. The Board approved unanimously.

Case 21-10-45 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 22-02-04 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Case 22-02-06 board member Dr. T. Erfling made a motion to discipline 1 year probation, \$2,500 civil penalty and 4 hours additional CE. Board member Dr. R. Skarperud seconded. The Board approved unanimously.

Case 22-02-07 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

Case 22-02-08 board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. The Board approved unanimously.

The OBNM website complaint page needs to be updated with start to finish timeline on cases to be more realistic. MB. Baptista reported 2021 KPM's to the state which shows 6 months case load would like to change to 9 months. Disciplinary cases are at about 8.4 months start to finish. In the spring newsletter there will be graphs, timeline to be more transparent on disciplinary cases.

Administrative Rules Draft Revisions by statute:

Guest Formulary Council Chair Natalie Gustafson.

At the September 2022 Formulary Council meeting the members approved all forms of Ketamine use except for general anesthesia as long as ND's have the education/training. Required CE 4 pharmacology and 2 additional ethics hours for pain management. Director MB. Baptista will write the minutes from the September 2022 Formulary Council meeting and then open up public comment. IV/injection ketamine administrated and under supervision of doctor.

- A. OAR 850-060-##### Education and Reporting Requirements for Ketamine
- B. OAR 850-060-0223 Formulary Compendium Exclusions

Board Chair J. Freedman made a motion to file draft for OAR 850-060-##### and OAR 850-060-0223. Board member Dr. B. Walter seconded. The Board approved unanimously.

Dr. R. Minarik discussed ND's need to be familiar with FDA laws around stem cell therapy/treatment.

Best Practices Survey: Each Board Member to complete the survey and return to staff today.

Director's Report:

- A. Jurisprudence Exam Results: total of 31 examinees – 2 fail and 29 passed.
- B. OBNM Budget – The state did not recommend consolidation.
- C. Board Member Recruitment – Member appointments confirmed by Senate

Public Comment

No public comment

Public meeting adjourned 2:03 pm



Oregon

Kate Brown, Governor

Board of Naturopathic Medicine
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WHO: Oregon Board of Naturopathic Medicine
TELEPHONE CONFERENCE CALL ONLY

WHEN: Executive Session: December 12, 2022; 9:30 am
Public Session: December 12, 2022 will start immediately following Executive Session (10:30 am time approximate)– until Public Session complete

In order to limit the exposure of the COVID-19 virus and adhere to the Governor's social distancing measures the Health Licensing Office (Office) is prohibiting attendance at the Board meeting. All audience members may attend the public session portion of the meeting by telephone conference call. Executive Session will be held according to ORS 192.660 (2)(f) (information or records exempt from public disclosure), and 192.660(2)(k) (information obtained as part of an investigation of licensee or applicant conduct).

What is the purpose of the meeting?

Bi-Monthly Meeting of the Board of Naturopathic Medicine, see agenda attached.

May the public attend the public session via teleconference?

Yes, however, for the courtesy of all participants on the call all non-board members are asked to **mute** the call.

Immediately following the Executive Session follow the directions listed below:

- Dial 1(866)528-2256 and enter the following participants pass code: 8467947 to be connected to the meeting. This phone line will stay connected for the duration of the meeting.
- The teleconference system will notify you that you are connected.
- No final actions or final decisions will be made in executive session portion of the meeting. The board will take any final action and / or make any final decisions in the public session portion of the meeting.

Oregon Board of Naturopathic Medicine



December 12, 2022

Executive Session 9:30 am

Public Session will begin immediately following

Executive Session (10:30 am time approximate) – Until Public Business is completed

LOCATION: Conference Call

Executive Session will be held according to ORS 192.660 (2)(f) (information or records exempt from public disclosure), and 192.660(2)(k) (information obtained as part of an investigation of licensee or applicant conduct). Public Session held according to OAR 192.610 to 192.690 Public Meetings Laws.

1. Roll Call
2. Approval of October 10, 2022, Executive Meeting Minutes and Public Board Meeting Minutes
3. Complaint / Investigation / Discipline Recommendations / Case Resolution Update.
4. Delegation of Authority
5. Administrative Rules Draft Revisions for discussion and approval(1pm):
 - A. OAR 850-060-0210 Education and Reporting Requirements for Ketamine
 - B. OAR 850-060-0223 Formulary Compendium Exclusions
6. Director's Report:
 - A. Legislative Days December

Public Comment

Oregon Board of Naturopathic Medicine
Public Board Meeting
December 12, 2022

Present: Board Chair: Joana Freedman, PT; Board Members: Ryan Minarik, ND, Megan Larivee, ND, Bill Walter, ND, Tracy Erfling, ND, Robert Skarperud, ND; Public Member: Jenny Anderson, RN; Joanna Tucker-Davis, AGG and Executive Director Mary-Beth Baptista.

The Board went into Public Session at 12:30 pm

Public Session Minutes: Board member Dr. R. Minarik made a motion to approve the public minutes for October 10, 2022. Board member Dr. R. Skarperud seconded. Board approved. Phone conference call notes

Executive Session Minutes: Board member Dr. R. Minarik made a motion to approve the October 10, 2022, executive session minutes and executive phone conference call on 11/16/2022. Board member Dr. R. Skarperud seconded. Board approved.

Complaint/Investigation/Discipline Recommendations/Case Resolution Update:

Dr. T. Erfling made a motion to extend investigation / cases 120 days on the case tracking form from 12/12/2022. Board member Dr. R. Minarik seconded. Board approved.

Case 21-03-13 board member Dr. T. Erfling made a motion to propose discipline. Board member Dr. B. Walter seconded. Board approved.

Case (21-05-15) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. R. Minarik seconded. Board approved.

Case (21-08-28) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member J. Anderson seconded. Board approved.

Case (21-09-36) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. R. Minarik seconded. Board approved.

Case (21-09-38) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. Board approved.

Case (21-10-42) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. Board approved.

Case (22-03-11) board member Dr. T. Erfling made a motion to dismiss with no discipline. Board member Dr. B. Walter seconded. Board approved.

Case (22-04-13) board member Dr. T. Erfling made a motion to propose discipline. Board member Dr. R. Minarik seconded. Board approved.

Case (22-10-24) board member Dr. T. Erfling made a motion to withdraw emergency consent motion made on 11/16/2022 and agree to the interim consent order. Board member Dr. R. Skarperud seconded. Board approved.

Delegation of Authority

Delegation of authority reviewed once a year and may be reviewed if the Board hires a new Executive Director. Delegation of authority form reviewed with minor updates for 2023: Remove voting perimeters, add interim order language with other orders, negotiating terms of discipline and issue subpoenas.

Board member Dr. B. Walter made a motion to approve changes to delegation of authority as discussed. Board member Dr. R. Minarik seconded. The Board approved unanimously.

Administrative Rules Draft Revisions for discussion and approval(1pm):

- A. OAR 850-060-0210 Education and Reporting Requirements for Ketamine
- B. OAR 850-060-0223 Formulary Compendium Exclusions

Discussion regarding the availability of required CE – in particular two hours of required ethics. MB. Baptista will reach out to Dr. Zefland & Dr. Hicks regarding availability of ethics CE and report back at the February 2023 meeting. Looking forward to potential Board rules when OHA psilocybin rule is effective, Board members discussed changing the language in the rule to allow ethics CE in psychedelic and or dissociated state for compliance with the ketamine ethics CE requirement. Discussion regarding sending the rule back for public comment to make the Ethics course changes and provide ND’s time to complete the CE requirements rather than requiring completion of the CE requirements as of Jan. 1 when the rule would go into effect. Board weighed the benefits / drawbacks the delay those changes would cause in implementation of the rule and whether the benefits of implementing Jan 1 - allowing licensees who have already completed the education and training required to prescribe injectable ketamine immediately vs. resubmitting a revised rule for public comment and adoption later this year.

Board member Dr. B. Walter made a motion to approve OAR 850-060-0210 & OAR 850-060-0223 as written. Board member Dr. R. Minarik seconded. Board approved.

Director’s Report:

December Legislative Days: E-board only, OBNM did not have bills in front of E-board.

Governor-Elect Kotek priorities to work proactively and collaboratively with state agencies and ensure transparency.

New business Board member Dr. B. Walter asked about the IV therapy rule requiring training for upper body injections before being allowed to train / engage in lower body injections. Asked whether there was a scientific/medical reason for that requirement / the order the training was structured. Board Member Dr. R. Minarik explained that the subcommittee required the order of

injection because it perceived it as the order of complexity. The Board has received a few questions regarding the order of injection site in the rule and has responded on a case by case basis. At some point we will bring up this issue to determine if the rule should be changed.

The Board thanks Dr. T. Erfling and Dr. R. Skarperud for their contributions/service over 6 years on the Board.

Public Comment

No public comment

Public meeting adjourned 1:56 pm